

SOUTHEAST ALASKA FEDERAL SUBSISTENCE ADVISORY COUNCIL
SNO Building
Wrangell, Alaska
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VOLUME II

Members Present:

William C. Thomas, Chairman
Vicki LeCornu, Secretary
Herman Kitka, Sr.
John F. Feller, Jr.
Mary Rudolph
Patricia Phillips
Mim Robinson
Lonnie Anderson
Marilyn Wilson
John F. Vale
Gabriel George

Fred Clark, Coordinator

P R O C E E D I N G S

(On record)

CHAIRMAN THOMAS: Good morning, everybody. I hope you had a nice rest and a good breakfast, 'cause you were all home early last night. When -- when we left yesterday, we just got through discussing the state proposed subsistence solution. A recommendation from that was that we submit comments from this council to the Lieutenant Governor. In order to do that, a group of people made up from people in this room met last night for a long time, diligently working out language they thought would best represent the sentiments of this council. And the Council is diligently working hard to represent the areas that they come from. So, hopefully that it comes to be representative, as we try to be representative, so -- Fred mentioned to me that these have been distributed to everybody, and the plan is to take them with you, review them; if you have any comments or changes to offer. Fred said that the latest that those can be considered, in order to get it in at a timely fashion, would be by Friday, the end of this next week, a week from today. So, if you could do that, we'd really appreciate that.

And beforehand, I want to thank everybody that did take the time to offer their comments, their expertise, their commitments into this -- to this language; it's a cooperative effort, and I want to thank those that were able to do that. So,

that takes us, then, to move onto agenda Item B-4; and it's not a Bingo game, now. Annual Report Process; Fred.

MR. CLARK: Thank you, Mr. Chairman. You've been dealing with the annual report process for several years now, and you know the -- the regular schedule of events, the annual report is produced after the spring meetings, and then -- I mean, after the fall meetings, and then reviewed by the Council and then sent into the Federal Subsistence Board for their review. There have been problems in the past with the submittal of annual reports by various councils around the state, but we went over that pretty much in our last meeting, about the problems that have been encountered in getting the annual reports in, what the purpose of the annual reports really might be; and this has come up with the Federal Subsistence Board staff, and with the Board, and they're working on how best to get word back to the councils, because they're still trying to figure how work it in, and the problem keeps arising that the staff is understaffed; they just don't have the time that they need to address all the elements in all the annual reports in a very timely fashion, so they're still trying hard, still trying diligently to get back to the councils in a timely fashion, but they're -- especially with the budget situation and the furlough situation, they're still kind of running behind times in getting those reviewed, and getting good responses back to the councils.

That's pretty much it, in a nutshell. I'd like to ask if people from the Fish and Wildlife Service staff, who are more in touch with what's going on with that office, would like to add anything to that, if they have any other knowledge about the annual report process, that there really have been no changes. I guess my question to the Council is, if they like or are satisfied with the way the annual report has been going over the last year, in terms of the way it was produced; if you would like anything else done on the annual report between now and the next meeting, or if you have any words of wisdom to send on to the Federal Subsistence Board and their staff about their handling of the annual reports, in their return comments to you.

CHAIRMAN THOMAS: I see nothing but expressions of confidence around us.

MR. CLARK: That's what I want to hear.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: When I was reading your report, it sounds like we're trying to pinpoint someth-- -- what's wrong with the system, and I'm not sure what a report is supposed to have in it, and I'm guilty of not sending in any input in to you so, I think if we all did this -- but we need to know what to put in the report. I didn't know.

MR. CLARK: Um-hum.

CHAIRMAN THOMAS: I've got it right here, Mr. Chairman. Advisory Council reports; according to FACA, F-A-C-A -- what's that, Federal Advisory

MR. CLARK: Committee Act.

CHAIRMAN THOMAS: Council Act?

MR. CLARK: Committee Act.

CHAIRMAN THOMAS: Committee Act, and GSA regulations -- I assume that's General Services. Wow, I'm not going to read that one. I'll jump down beyond that. In accordance with Section 11 (c), 1-6 -- all the -- whew -- of the Federal Subsistence Management Program regulations, each Regional Council shall also file an annual ANILCA report, with the Chair of the Board. The report shall contain, A. an identification of current and anticipated subsistence uses of fish and wildlife populations within their regions; B. an evaluation of current and anticipated subsistence needs for fish and wildlife populations from the public lands within their region; C. a recommended strategy for the management of fish and wildlife populations within their region, to accommodate such subsistence uses and needs related to the public land and; D. recommendations concerning policies, standards, guidelines and regulations to implement the strategy.

In order that the Regional Council recommendations be included in the ANILCA Section 806, monitoring report to Congress and made into proposals for regulatory change where appropriate, Regional Councils should submit the annual report in the early fall; however, the final signed, typed documents should be provided by the Regional Chair to the Regional Coordinator for copying and distributing no later than November 15th.

The Regional Coordinator shall forward the report to the Board Chair within five days and provide copies to the Regional Council members. Technical and clerical assistance for production of the above reports shall be provided through the Regional Coordinator and cooperating agencies involved in the Federal Subsistence Management Program. The Regional Council may produce other reports as deemed appropriate, concerning fish and wildlife in subsistence uses within their region. So, actually, the report is really within the parameters of what they asked for for our report.

MR. CLARK: Yeah, those are the guidelines that were used in producing the report; just kind of go down the list, one by one.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Yeah, Fred. I think the report was really well done. It seemed to be -- it wasn't longer than it needed to be; it was -- said what needed to be said, and I thought it was interesting reading, and it was -- it seemed to reflect a lot of things that had been talked about, and it seemed good to me. I just want -- would like to just repeat kind of what was mentioned at the last meeting, is that it would be good to have the Council work on the next report together as a group at the beginning of our next meeting in the fall, so we can participate in coming up with things to put in it right there at the meeting, rather than through the mail.

CHAIRMAN THOMAS: Okay. John.

MR. VALE: Yeah, I agree with that, and I think that it's a good idea. I had a couple of statements on the one the -- when annual report that was put together, here. I'm pretty happy with it; I think it was done pretty well. I wasn't here, of course, at the last meeting, but I liked the format that this was put together in, and I like what it says in it, and I think it's a good annual report, for now; but, I also do think it's -- I support the idea of the Council getting together at the next meeting early on and putting together our next annual report. And one of the, I think, key ingredients at that that annual report should have in it is the first one, here, identification of current and anticipated subsistence uses and needs;

and I think one thing that's needed here, in the annual report, is this identification of the resources that are used, and those needs. I think that's a very important part, and I think that a listing of all the different resources and species needs to be put together for the various subsistence communities around Southeast, and that identification of those resources is important for future use, not only for the annual report, but for the Council to see and view, and also for the members of the public. And so, I would hope that all of you, when you go back to your communities and hopefully, the other communities that aren't represented here with, you know, there are people from those communities that we can compile a list of all the various resources that were used, and so that we can use that as a base for making recommendations to protect those existing uses, and also in our recommendations for protection of habitat.

And so, the -- there's some mention in here about the lack of protection for fisheries under existing parameters, the system we have today. And I guess if there's one thing that I would like to see at some point here is a discussion amongst the Council members about fisheries, their importance, and the lack of the existing systems, the lack of protection under the existing parameters, as they're put in here. In other words, fisheries, basically, are not being protected; when you -- authority is only on public lands and doesn't include navigable waters, and it's my firm belief that Congress intended fisheries to be protected and it repeatedly says 'fish and wildlife'. And without going into navigable waters fisheries don't get protection; and I think -- I really -- I guess I believe that this Council should take an active role in bringing about that protection of fisheries; and, you know, perhaps the annual report is one place to do it.

So, I am happy with what was put together here, and I think that's an area that we need to address here in the future. That's all I have.

CHAIRMAN THOMAS: I have a question. Why do you feel like everything should be identified?

MR. VALE: Well, you know, with -- how can you -- I guess I feel like there needs to be an understanding of

CHAIRMAN THOMAS: Well, the reason I asked this question, I don't think that it's consistent with the sentiments of the communities within the region. One of the reasons for that is because when you do something like that, knowing bureaucracy as it is, if you leave one thing out, it might be the one thing that's more vital to what your c&ts are, and then if you inadvertently leave it out, that there might be some form of restriction for not having access to that. So, that's why they've felt that general terms of natural resources were more productive than identifying every species,

MR. VALE: Um-hum.

CHAIRMAN THOMAS: because nobody knows the exact number of species, and some of them don't even have names.

MR. VALE: Well,

CHAIRMAN THOMAS: So that's one of the things you hear from the communities.

MR. VALE: Yeah, that's a good question, and I guess it's -- I guess, if you look at what 805 calls for in an annual report, identification of current and anticipated subsistence uses, identification; and that's it. I think we need to identify them. And if you -- once you identify them, then you can go about the

means of guaranteeing their protection. Part of what makes me say that is I'm responding to things that I've heard from Mr. Burgess back there over the years, and that the feeling that an important part of this process is identifying those uses and resources, and I just feel that that would play a role in the protection of them.

CHAIRMAN THOMAS: I'm getting sounds of the old John, here. Anyway, what's the wish of the Council on it? Anybody have any commentary on that? Mim.

MS. ROBINSON: Well, it seems like you would want to identify uses that are in jeopardy of being lost. If there's a huge abundance of something that you're using, I mean for example, berries; I mean, there's -- well, there's probably not any concern about loss of blueberries or huckleberries, or something like that, so you wouldn't necessarily need to identify those uses. So, maybe the emphasis would -- the intent on that was of things that you're -- it's -- you know, maybe something is happening in your area that is affecting that species or whatever it is that you're using, and that -- then, you would want to identify that, and say, hey, we've been using this for years, and we need this, and et cetera.

CHAIRMAN THOMAS: Any comment? Patty.

MS. PHILLIPS: I highlighted on Number 3, bottom paragraph, 'conduct ongoing household surveys'. And then it goes on, it should be done cooperatively between agencies and should have a community focus with community-based operations and control. I really like this idea; it's great in theory, but it's really tough to do, because you only have segments of the community that are active in the decision-making process. But through this process, we could address the concerns that John has on identifying current and anticipated uses, and we could also state that we recognize there uses that -- these aren't all the uses that -- and there will be more uses being brought to the attention of the Federal Subsistence Board.

And then on -- under Number 4, the second paragraph; the State should not have a role in subsistence management. The Subsistence division has a good staff of experienced researchers, and the infrastructure should -- needed to support subsistence investigations, given adequate funding. And I just feel that this -- that research through the State should be fully funded, but I know that there's concerns about the sort of information that comes out of there. But whatever information we can get out of the Council to make good decisions, we've got to have it.

CHAIRMAN THOMAS: I guess I have another question. What's the purpose of the household survey?

MS. PHILLIPS: To identify -- to begin to identify uses.

CHAIRMAN THOMAS: Okay. Vic.

MR. BURGESS: Mr. Chairman am I allowed to address this

CHAIRMAN THOMAS: By all means.

MR. BURGESS: subject here?

CHAIRMAN THOMAS: Huh? On the same topic?

MR. BURGESS: (Indiscernible - away from microphone)

CHAIRMAN THOMAS: On the same topic?

MR. BURGESS: Yeah.

CHAIRMAN THOMAS: Come on up.

MR. BURGESS: This, essentially, Mr. Chairman,

CHAIRMAN THOMAS: Give your name and rank for the record.

MR. BURGESS: Victor Burgess; Hydaburg Advisory Committee. This is the kind of topics I was trying to clarify yesterday. And we made this survey in 1982, along with our design of the coastal management zone, which essentially is a subsistence plan. And we took a personal consumption, you see, because we didn't understand what 'barter' and 'customary trade' means, so we took a survey, and we came up with a survey that I think is, administratively you have to do every year, because of your report to the Secretary. You have to consolidate the whole thing into -- so, it can be done very easily, one person or two persons, you know, but you probably need a little funding.

And along with it, this -- we came up with a survey on how they would like to achieve their livelihood, the topic I was talking about again yesterday. So, we've been thinking of it, but it's just been laying in the -- on the shelf, so to speak, for 10 -- well, that's 13 years. My, time flies, doesn't it? So, I've been -- you know, that's why I think I'm on top of some of this stuff, because that's essentially -- basically what the law says. And you know when you're reading this report, you know, I didn't hear a report to the Secretary, you read off everything but the most important part, I think, and that was the Advisory Committees; because under the law, you just can't operate; you might to it emergency -- an emergency-type situation like you're doing, but the law doesn't speak to that; it speaks to Advisory Committees, very strongly, and that's why I'm here, because I think

CHAIRMAN THOMAS: Okay.

MR. BURGESS: I'm responding to what the law says.

CHAIRMAN THOMAS: Okay; thank you.

MR. BURGESS: Okay. Thank you, Mr. Chairman.

CHAIRMAN THOMAS: John.

MR. VALE: To further respond to your question, Mr. Chairman, and part of the reason why I think that identification is necessary, and as an example, the Subsistence division did a study in Yakutat in 1984, which, in the time that I've been involved in this system, has been extremely valuable to me, in looking out for the interests of the people in my community. And as an example, you know, in here is a listing of the various resources that are used, and also the time of year, you know, that they were utilized, and you know, there's several pages of this, of the various resources, and I just kind of felt that if we had this for all the communities -- see, here's another whole page that shows all these different resources and the time of year that they were used. And it seems to me that if we had this for all the communities, which -- I'm sure most of them use all these same resources, but it seems that once we have a listing

like this, in black and white on paper, of these various resources, and then we look at what the annual report calls for, you know, identification of resources, then evaluation of current and anticipated subsistence needs, then we can get into what is needed in order to allow for these resources to be utilized. And then you get into a recommended strategy for management of fish and wildlife populations, then we can make recommendations on management plans like Tongass Land Management Plan. We can make recommendations and -- on the policies and standards and guidelines in order to, you know, protect those uses, and we have, I guess, all the information we need to support those recommendations, and I just think that it would be valuable to us in the future. And not only in annual reports, but as a base from -- for all the work that we do. So,

CHAIRMAN THOMAS: Further discussion? Mim.

MS. ROBINSON: Isn't that, basically -- I guess it might be the same as the TRUCS study, maybe a little bit different form, or something?

CHAIRMAN THOMAS: Same as what?

MS. ROBINSON: The TRUC (sic) study that needs to be repeated?

MR. VALE: Well, the TRUCS was --

MS. ROBINSON: The TRUCS; whatever.

MR. VALE: was similar, as I understand it, and Gabe could probably answer better than myself, but the TRUCS study was primarily just a study of the volume of specific stocks that were being utilized, and I'm not so sure that it would have identified all the various different types of resources that are used. You know, I -- a couple years ago when we met in Sitka, the Sitka Tribe gave us about, I don't know, eight or 10 pages of the various resources that they use around the Sitka area, and also how they've prepared them, and I thought that was -- I really appreciated getting that from them, because it was real helpful to me in understanding how they view and approach, you know, the resources in their given area, and I remember at the time, I thought, well, this would be great if we got this kind of information from all the various communities

MS. ROBINSON: Um-hum.

MR. VALE: around Southeast and we could use it, like I said, as a base for the work that we do. So,

CHAIRMAN THOMAS: Okay, okay, for the third time. Harold, do you want to come up to the mic? Give your name and address to the recorder, please.

MR. MARTIN: Thank you, Mr. Chairman; name is Harold Martin, Southeast Native Subsistence Commission. Now, I don't know whether this falls under identification, but to give it another twist, I'd like to point out the overpopulation of sea otters moving into our inside waters. To my knowledge, there has not been an accurate survey done; we've contacted the U.S. Fish and Wildlife Service several times on this; they've never had the money to do a survey. But we all know that sea otters weigh anywhere from 80 to 120 pounds; they eat all day long. They must consume 25 percent of their weight to sustain themselves everyday. These animals feed on what we term as our subsistence foods; they feed on crab, clams, gumboots, octopus, and everything we consider subsistence. Now, we have to com-

-- they're competing with us now for our subsistence foods. They've been sighted inland as far as Security Bay, around my country; they're getting close to Point Gardner, which is our gumboots country. They've been, I believe, sighted as far in as Amalga Harbory (sic), in Lynn Canal. They're around Glacier Bay, and we've gotten reports on the islands off of Rowan Bay, Pillar Bay, where we used to get gumboots and small abalone. All of these are gone, but there's a lot of sea otters there.

Mr. Frank See from Hoonah states that around the Indian Islands, where they used to get what he refers to 'size 12 gumboots', they're no longer there, so there is a grave concern. I think what we're fighting is tourism. I think they'd like to leave these animals come in so the tourists can go out and view them. I just thought I'd bring this to your attention, Mr. Chairman.

CHAIRMAN THOMAS: Thank you.

MR. MARTIN: Thank you.

CHAIRMAN THOMAS: Hank.

MR. NEWHOUSE: Hank Newhouse, Subsistence Coordinator, Ketchikan area. I really support what John is proposing, and the reason being is, as we work daily in dealing with the -- working with subsistence and our projects in evaluating subsistence uses, our mind-set within the Agency has been pretty well set by the TRUCS study, and that's all they want to look at. And that's a very narrow perspective. And so, in the sense of educating, and -- the public and agency people, you know, besides the few of us that work in the subsistence arena -- and we are even having really difficult times these days even getting funding, you know, to do our work and do it properly. It's important that people really be able to understand the breadth of what subsistence really means, and so -- and helping them understand it's important that they be able to see, you know, the total number of resources. And basically, everything that's out there is used, and -- in some way or the other, but people don't understand that within the agencies.

Just a comment. Thank you.

CHAIRMAN THOMAS: Thank you. Well, if it will help them understand, I guess I have no further concern. Further comment? Okay. Gabe.

MR. GEORGE: Yeah, I believe in what John said. Also, I think that there are, you know, concerns, and, you know, certainly a lot of the communities vocalize those concerns about resource use and competition for those resources or different uses for those resources, and I've heard many times where people have stated that we don't want to tell everybody what we're eating, because they're going to go out and commercialize it and sell it and make a profit, and will be eliminated. And, indeed, that was true under the old guidelines and all; commercial and sports came first, and subsistence was an afterthought, if it was even thought about. So, there's some mistrust, or -- in terms of telling anyone and everyone about the resource uses.

The other concern that they have, and it's a real one, is that in terms of using resources, does quantity, or the amount used, equate to importance, and the importance of a resource to a community, a person, individual, family, is dependent upon many things. For instance, you know, that my dad, in growing up with him, and he was born in 1889, so I had an opportunity to live with someone

who grew up at a time when there wasn't very many Westerners around, and all. And he said that -- you know, that in order to prepare myself, and although I didn't grow up the old way with my uncles, that, you know, we had to eat a little bit of a lot of things, in case I got lost, stranded, or, you know, left someplace and I had to survive. And those resources that are utilized at that time, in terms of quantity and quality is different from what we use every day. But your system has to get used to some of those resources, you know, for time of great need. So, they -- all I'm trying to stress is that the quantity of use of a resource does not equate to, you know, a high or high value, as values -- you know, the subsistence resource use is a dynamic process; you know, it's changes. And that's one of the things that all -- that bureaucracy and bureaucrats and many people, Native and non-native and everyone else, that seem to think -- don't fully grasp.

You know, it's like moose coming down to an area, or other animals moving into an area, doesn't mean that, you know, the Tlingits didn't use them, and all. We're opti- -- we utilized resources as they came and we change just like nature changes, you know. But that's not always incorporated in the use patterns or in regulations; so, that they say that if you didn't use it 10 years ago, by God, it's not there for you to use this year, 'cause you don't have customary and traditional use of it. Well, that's, you know, taking one portion of the eight criteria, and imposing, again, a restriction again on subsistence users in a way that is detrimental to the subsistence users had in the past, you know, because you know, things weren't static. Things were always changing; the world was always changing, and certainly people were changing, you know. It's only now, through regulations, that we try to keep things static.

I believe that the TRUCS study, you know, came up with a lot of baseline information that is useful and is certainly being used now. It was an attempt to -- boy, it was a big attempt. I think this guy here can probably best explain, you know, the -- all the parameters of the TRUCS study. But it was -- it tried to be very comprehensive in looking at use areas. But I just wanted to talk about -- a little bit about the -- about coming up with species and uses, and the importance, and -- because they are different at different times, and it's not quantity versus importance, you know? It changes.

CHAIRMAN THOMAS: Thank you. Anybody else. Mim.

MS. ROBINSON: Just real quick, I just wanted to thank Patty for the effort -- time and effort she put into this report. I think most of her letter that she sent copies out to all of us is in this. She did a really good job.

MS. PHILLIPS: Thank you, Mim.

CHAIRMAN THOMAS: Okay. Patty.

MS. PHILLIPS: On the the cooperation between agencies, I know that Sitka Tribes of Alaska has hired a biologist and an anthropologist, and this is a resource that could be utilized to build this list of anticipated uses.

CHAIRMAN THOMAS: Okay. Anybody else? Okay. Thank you again for all your hard work and lot of discussion, I know, went into that. Okay. That brings us into the Additional Council Representation.

MR. CLARK: Mr. Chairman, before we leave off on the annual report process, I'd just like to quickly remind the Council that the annual report is not my report, it's your report. And my role is that of a compiler, and I take direction from

you on how you want it put together, and what you want to say. So, the conversations that went on today were very, very heartening to hear, and I'm really glad to hear it, and we need to capture that and figure out how to use that in a strategic way in the next annual report, to take the next annual report one step further into getting subsistence management into the direction that you want to see it happen.

CHAIRMAN THOMAS: Well, I have never seen such a passion for a report. How about some Council representation?

MR. CLARK: Okay. You'll remember at the fall meetings, we asked if you felt like you had enough members on the Council to adequately represent the region, too many members, just-right members; and you had an opportunity to request more membership, additional seats on the Council, if you wished. You chose not to request additional membership.

Every council in the state had the opportunity to do that with this last round, because several councils had repeatedly asked for additional membership. They just felt like they could not adequately represent their regions without more seats on their councils. There seemed to be three issues that were -- that needed to be considered, two from the point of view of the councils and the regions that they represent, and one issue that is more from the Federal Subsistence Board and their staff's point of view.

The first two, is that the reasons they wanted additional membership were gaps in geographical representation and gaps in cultural representation in their areas. The third, from the Board's point of view, is the cost considerations for adding additional seats. So, on top of asking you folks if you wanted additional memberships, I was tasked with coming up with a cost comparison for how much it would cost to add additional seats across the state for different the regions, particularly for those who requested additional seats, but I went ahead and did it for all of the regions.

We looked at different alternatives to adding new seats to the Regional Councils. One was to provide additional seats on specific councils, one is to redistribute membership among communities within regions. So, if you have a region like Southeast, and you have pretty good geographical distribution, except for in one locality, say, the northern part; say, we didn't have John up in Yakutat any more, could we take a seat from someplace else when somebody's seat was up and try to get somebody from Yakutat to fill that seat. Another option was to combine, maybe add one new seat and shift the distribution of seats around geographically a little bit. Another alternative is to do nothing, always an alternative.

So, all 10 councils were polled for their views, and all 10 councils had a chance to request additional membership. Only three asked for additional members; Region 3, Region 5 and Region 7. That's the -- Region 3 is Kodiak/Aleutians; Region 5 is the Yukon-Kuskokwim Delta area, and Region 7 is the Seward Peninsula. Region 3, that's Kodiak/Aleutians, they requested two members. The Yukon Kuskokwim Delta region requested three members, and Region 7, the Seward Peninsula requested two members. The Board listened to all the arguments that people had for wanting new members, and lo and behold, they said, okay, but we can't let Yukon-Kuskokwim Delta have three members because, of course the charters say that you have to have an odd number on the council, so if you added three it would become an even number, so they allowed for two additional members in the Yukon-Kuskokwim Delta.

I did some cost comparisons, and for two seats for each of those councils it would be a grand total of about \$6,000.00, which in the total budget of the council program is about one percent, between one and two percent. There was a -- even at that, there was a major discussion over cost, you know; where are we going to come up with \$6,000.00 to add additional seats, but they figured that they would do it anyways. So, at the Federal Subsistence Board Meeting of January 19th, the Board adopted a motion to provide two additional seats each for Regions 3, 5 and 7 and so, these councils will be going through a process similar to what we're doing when we get to the Charter Renewal, and they will add to their charters, that they will have new members.

So, it's nice to know there's a chance to tweak the system a little bit, to increase your membership, if you think that you're not adequately representing the region. Any questions?

CHAIRMAN THOMAS: No? Just expressions of confidence. You may continue. That's good, but we'll probably request an additional five members by the time the day is up.

MR. CLARK: Okay.

CHAIRMAN THOMAS: How about Charter Renewal?

MR. CLARK: Charters have to be renewed every two years, and this is the year. In your packet, there is a -- you'll see, it looks like this, and it says, 'Overview of Regional Council Charter Renewal Process.' In that -- in those sheets, it goes through kind of what the charter is about, what kind of authority they come from, and what can be changed. I'd like to skip to the third page, under the heading, 'Charter Renewal.' Did everybody find that?

There are five elements there that are listed that can be changed in the charter, should a council decide to. You can change the name of your council; you can change the boundary of the area that you represent; you can change the size of the Regional Council membership; you can change specific Subsistence Resource Commission appointments, and the criteria for removing a member.

MS. WILSON: Mr. Chairman.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: What is the specific Subsistence Resource Commission? Is that like what John's on, the

MR. CLARK: That's it.

MS. WILSON: (indiscernible word - simultaneous speech).

MR. CLARK: Um-hum.

MS. WILSON: Oh.

MR. CLARK: So, that is one thing that you will want to consider, as we look at the charter.

CHAIRMAN THOMAS: So, is that my cue for taking that issue up?

MR. CLARK: That is.

CHAIRMAN THOMAS: Okay. Any further nominations for this Mount St. Elias? Anybody unhappy with Mr. Vale's performance? Everybody is, huh? John.

MR. VALE: Mr. Chairman, I guess I was just going to suggest two strategies for dealing with that appointment. One, you could take an action to reappoint myself for three more years, and I'm willing to work another three years on this commission, and if you want to proceed that way, that's acceptable to me. Another would be, if you'd like to follow a more public process, or a process that involves more people, you could sort of advertise that you're going to be making this appointment, and solicit nominations, and then at our next meeting in October, you could take some action on it. And I -- you know, myself, I just think that, you know, that's something that you may want to do.

To be honest with you, though, my guess is that, you know, there won't be a lot of response, because -- and I say that because the -- in order to be appointed as a member to the Commission, as I understand it, and Clarence can correct me if I'm wrong, you need to be a resident -- a member of a resident community in which the park, you know, as part of that park, and the only community in Southeast that qualifies is Yakutat. And additionally, you need to be a -- I believe you need to be a member of an advisory committee within that region, and -- which narrows the field down to about 15 people, and -- on our advisory committee. And out of those, we do have one person that's already a member on that commission that's supported by the Secretary of the Interior; and of the remaining ones there, I don't -- I am -- I doubt that there is anyone that would actively want to, you know, get on this commission. But nonetheless, I just kind of wanted to, you know, give you an update as to, you know, how that process would work.

And also, when you get done addressing this, I was going to give you a real short report on the -- what the Wrangell/St. Elias Subsistence Commission's been doing.

CHAIRMAN THOMAS: Okay. With my anxiousness to get to the report, is there any objections to John sitting on this for another term?

No objections? Then, you've got the consent of the Council to do another term.

MR. VALE: Okay.

CHAIRMAN THOMAS: Okay.

MR. VALE: Thanks. Maybe I'll take the lead, then, and just give you a quick report on what's occurred since the last time the Council appointed me, and the answer to that is, not a whole lot. In the last two years since I was appointed by the Council we haven't met; there hasn't been a meeting taken place. And we did have one scheduled earlier this year that was postponed as a result of the Federal shutdown. The Council, or Commission, did -- has been doing work in the past, one that -- subject that they're doing is in -- recommended in that the Department of Fish and Game has been involved in, is a study of access to the park, which I think would be useful in the future in protecting, you know, access for subsistence users, and with -- we do have a meeting coming up at the end of the month, here, and it's going to be quite interesting, because in that meeting, we're going to be addressing a situation there, 804 comes into play, in that there's a proposal from the Federal side to allow for harvest of caribou on the Mentasta Caribou Herd, and that herd has been depressed in their population,

and it's a situation where the Commission's going to need to make recommendations.

There's not enough resource to support other uses than subsistence, and the Commission's going to have to make a recommendation as to what subsistence users -- there's going to be a need to restrict subsistence uses. and thus, there's going to need to be a recommendation as to what subsistence users will get restricted, and they'll be looking at those criteria in 804, dependence on resources and available alternative resources. And as far as I know, this is the first situation in the state where 804 is going to come into play. And so, it should be quite interesting to see how the Commission deals with this, and it may set some precedent in the future 804 decisions by other bodies, you know, the councils and the commissions.

And so, that's about all I have in that regard.

CHAIRMAN THOMAS: Thank you. Any questions. Marilyn.

MS. WILSON: Yeah, Mr. Chairman. John, how many on the Commission, and did they get selected just like you, and where from?

MR. VALE: Well, there's nine members on the Commission, and the way it's set up, three -- according to Title VIII, three are appointed by the Governor of the state, three are appointed by the Secretary of the Interior, and three are appointed by the Regional Council, that the park is within that region. For the Wrangell/St. Elias Park, it actually covers three different regional council regions, so the three seats that are appointed by Regional Council, one is appointed by each regional council, which is the Southeast, Southcentral, and the Eastern Interior Regional Council. And so,

MS. WILSON: Um-hum.

MR. VALE: we end up with a nine-member board. So, that's where they come from.

CHAIRMAN THOMAS: Further questions? Thank you, John.

MR. CLARK: Mr. Chairman, I think that the procedure for John's nomination is that we complete a letter for your signature, to send to John and to -- where's Clarence?

MR. SUMMERS: Here.

MR. CLARK: Okay. Who do you send that to?

MR. SUMMERS: A copy to the Park Service for the Director (ph) and we forward it to the Secretary of Interior.

MR. CLARK: Okay. So, that's the procedure we follow.

CHAIRMAN THOMAS: Okay. Ready for Designated Hunter Results?

MR. CLARK: Sure.

MR. CLARK: The numbers on designated hunter permits have been kind of trickling in, and I have a feeling they're not quite complete at this point, but I think we have enough to give a general overview of what's happened with the designated

hunter regulation, over the past hunting season. In a broad brush sort of look at it, there hasn't been a great, overwhelming response to the designated hunter regulation, you know, not everybody and their dog is going out and doing designated hunting for everybody in their community. But even at the rate that we're seeing it now, we can anticipate that people will catch on in future years, and rates are likely to increase, at least somewhat in the future.

From the Sitka area, from Chatham, we have numbers from Yakutat, Admiralty, Sitka, Juneau and Hoonah. And the note I get here is that there are hunters for Juneau that are issued by a cooperator in Haines. But anyways, for that -- the whole Chatham area, there were 73 designated hunter permits; that's one from Yakutat, one from Admiralty. The bulk of them are from Sitka, 59 from Sitka, eight Juneau, and four from Hoonah. And for the other two areas, for Ketchikan and Stikine areas, I'd like to know if the coordinators would like to give the numbers on those.

MR. NEWHOUSE: Hank Newhouse, Ketchikan area. In an attempt to really get the permits out into the communities and that, we took, for example, in Ketchikan we put -- to give access to the permits, rather than just at the Forest Service offices, we took permits out and Nora Dewitt (ph), the Clerk of Saxman handled the permits in Saxman, and spread the word there. We put permits in Meyers Chuck; the postmaster handled the permits, and then also, the city clerk's office in Metlakatla handled the permits. But, there were no interests in those communities, and there were no permits issued.

The only place where we issued any permits was on Prince of Wales Island, and the bulk of those were from the -- at the Craig Ranger District; I believe 15 permits were issued at the Craig Ranger District, and two permits were issued by the Thorne Bay District, for a total of 17. So, there wasn't a great deal of interest shown this year. There was some questions asked. There were some people that tried to make issues out of that, a little bit; Bill and I were involved in some of that discussion with one particular individual, but other than that, it was real quiet, and it went off well.

CHAIRMAN THOMAS: Thank you.

MR. ROBERTS: On the Stikine area, we faced the same situation. We were fortunate that -- to have the corporation from the community of Kake to issue permits from the community building, or city hall, and permits were also issued at the supervisor's office in Petersburg, as well as the Ranger District Office in Petersburg, and here in Wrangell at the Forest Service District Ranger Office. Our specific numbers

MR. CLARK: Let's see, I'll try and find -- I don't have your numbers.

MR. ROBERTS: Okay.

MR. CLARK: But,

MR. ROBERTS: We had a tally earlier, but based on issuing permits, that -- some of our community members traveled to Angoon -- or, not Angoon; traveled to Admiralty Island to also hunt, so initial numbers were -- well, I'm sorry; I don't have the initial numbers, but they increased by one or two permits in the early part of this year, for hunters from Petersburg traveling to Admiralty, to harvest an additional deer, but I don't have the specific numbers.

CHAIRMAN THOMAS: Are those numbers greater than 10, 20?

MR. ROBERTS: Probably.

CHAIRMAN THOMAS: Thirty?

MR. ROBERTS: I would say at least 25.

CHAIRMAN THOMAS: Okay. Questions? John.

MR. FELLER: Thank you, Mr. Chairman. You know, Larry, I was thinking that I heard some people in Wrangell talking about designated hunting and how they liked it, but I don't know -- I don't want to get in trouble with anyone on it.

MR. ROBERTS: That was the -- my comment. I think my sense was, but I don't -- there wasn't a lot of interaction there, but I think people were very favorable -- I mean, they felt very favorably about this opportunity to go out and harvest, but they were a little concerned about being tripped by the legal process, and they were uncomfortable about the forms that you use, and there's also some peer pressure from others outside, who felt that if you're going to take something like that, use the State permit, which would be somebody with -- who were -- who was physically unable to go out and harvest an animal, whereas this is -- which is open more towards anybody that may like to have a additional harvest of a deer.

MR. FELLER: Yeah. Like you say, yeah, they're probably using the State permit.

MR. ROBERTS: Yeah, I would -- my sense, again, is that I think we'll see more with each passing year, they'll be more interest in it, because of the cooperation, and I think just sharing of information with the public, the hunters and their success, and also that they're -- the minimum of hassle that they're going through to get the permit and also in processing the permit, I think is -- the feedback I'm getting now is that they're pretty receptive to that, and I think it's the sharing information among the different hunters about how it works, and the process. So, I think that's going to help streamline this in years to come.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: Up in Haines, I never even thought about this kind of process, so I think what's happening is no one knows about it. Like, in Haines, it's -- there's mostly State land, and we don't have too much deer up that way, except on Sullivan Island, and it's a limited amount. But a lot of our hunters come down this way, and how would we go about getting a permit up there for a designated hunter, say? Through the State, or through the Forest Service?

MR. ROBERTS: It would be through the Forest Service, I would assume, unless we can work out some kind of arrangements where someone or some entity, governmental entity, would handle the permits in Haines. That would be something that would have to be worked out.

CHAIRMAN THOMAS: Hank.

MR. NEWHOUSE: Could I speak to that for just a second? Marilyn, we had the same type of concerns in the Ketchikan area, in the sense of wanting to really be able to get the permits to where the people were at, and that's why we made the effort to get -- like in Meyers Chuck, to get them to the post office, and offers were made in other areas, on Prince of Wales Island to do the same, but

the communities didn't desire to go forward with that. It was the reason why we went to Metlakatla and put the permits with -- at the city clerk's office, and with a little bit of public, you know, information around that; we had some newspaper articles, you know, kind of a public service announcement to that effect, and that's also why we put them at the city hall in Saxman, too, so that people could do that, you know, have ready access. And I think the same type of thing can be worked out in Haines, where the people could get access to them and if that didn't happen, we just, next year, need to work harder at making that happen, and -- and get some dialogue going early.

You know, it was the first year of this, and yeah, we had, you know, it probably didn't go as smoothly as it could have, but I think there's ways to work through that, so that the people do have access to be able to get the permits.

MS. WILSON: I have another question. In Klukwan, would the Klukwan residents have to go to Haines to get, or could they use their local IRA, 'cause they have a office up there in Klukwan.

MR. NEWHOUSE: I think there's all the flexibility in the world there. It's just -- boy, we've got a dialogue, and get them out. Through the Fish and Wildlife Service, they designated certain people that had the responsibilities in different offices, but then, it's an easy process and not much paperwork involved in the transferring of those permits out to the communities where the people can have ready access. We didn't find that to be much of a hurdle.

MS. WILSON: Thank you very much.

CHAIRMAN THOMAS: John.

MR. VALE: Just a quick comment on how I think the programs on moose has worked in Yakutat, and I think people there have been slow to respond to it, just as down in Southeast here, and I think that while the notice is up on the board about the program, different boards around town about the program being available, I think it just takes time for people to become aware of those opportunities, and I don't think that most people really have become aware of the program, and so I believe that, you know, sometimes subsistence uses are kind of slow to change; you know, people are creatures of habit a lot of times, and I believe that it's a program that will be utilized much more, as people become more aware of it. So, you know, I think it has -- what I have heard, though, has been real favorably received, and I think it will be utilized much more extensively in the future.

CHAIRMAN THOMAS: Good. Thank you. That brings us to Antlerless Ungulates. I couldn't go through this meeting without saying 'ungulates.'

MR. CLARK: And here with us, directly from Ketchikan, is Hank Newhouse.

MR. NEWHOUSE: Thank you, Fred. There was a lot of nervousness initially around the antlerless deer hunt on Prince of Wales Island, and there was quite a bit of fretting. But once we got into it, it was -- it went off, it was real low keyed. Yeah, some people expressed some concerns. One of the biggest things that concerns internally within the agency and also within the Department of Fish and Game, is how we're going to collect some data, in a sense of trying to find out what happened, in the sense of how many deer were -- antlerless deer were harvested. And to that effect, John, I'd really like to thank your people; in particular, Doug Larson with the Department of Fish and Game, who's been

working closely with the -- with Roadkill Johnson, from the Craig Ranger District.

I believe that they're working on, or they're going to do a telephone survey of sampling of hunters on Prince of Wales Island, to try to get a notion of what happened. Basically, what Dave has said is that early in the season, and even, you know, after the antlerless deer opportunity became available after October 15th, that they chose not to use that option till late in the season; they were just kind of holding off, to see if they filled their tags out with all bucks, versus taking an antlerless deer.

There was more concern expressed on people coming from other areas, particularly nonrural hunters from Ketchikan, coming. There seems to be some rising concerns there, and that's just a side comment.

CHAIRMAN THOMAS: Thank you. If nobody has any comments or questions, we're going to take a break. After -- afterwards?

Ms. LeCORNUE: After?

CHAIRMAN THOMAS: Yeah.

(Off record)

(On record)

CHAIRMAN THOMAS: I was trying to stall till Mim got back; she went to the bank, so I want to talk slow till she gets here. Lunch is going to be served here at noon. Is that correct?

MR. ROBINSEN: Um-hum.

CHAIRMAN THOMAS: Is it? Noon. Lunch here at noon. Okay. We have a contingency on the back table, if it doesn't show up.

If there's anybody interested in going down and looking at the Chief Shakes Travel Building, let

MS. ROBINSEN: That will be unusual

CHAIRMAN THOMAS: Huh?

MS. ROBINSEN: That will be unusual.

CHAIRMAN THOMAS: Yeah.

MS. ROBINSEN: There will still be time (indiscernible - not near a microphone) -- when you come back, if you want to go.

CHAIRMAN THOMAS: Okay. And if nobody's interested in going down, then we won't bother to go down and open it. So, if you are interested, let people know that you're interested.

When we took a break before, Vicki was asking to be recognized, and she was kind enough to let us take our break first, so we'll hear from Vicki first.

MS. LeCORNU: Thank you, Mr. Chairman. I wanted to comment on the deer proposal that we brought up last year, and I really don't think that we considered all our options, and I talked to John on the break, so that really alleviated some of my concerns on how to proceed, and I think he's answered my questions, but you know, we need to bring out all our options on considering why there was not ample opportunity. We didn't consider that -- our opportunities were restricted that we didn't consider, and I talked to John about problems they've had in Yakutat similar, and I think we need to work on it again, in the next meeting that we have for the next year's hunt.

CHAIRMAN THOMAS: Okay. Those are things about -- I'm glad to hear this coming up, because there was so much hysteria and so much wild anticipation, and it's understandable. I listened to hunters and trappers on Prince of Wales, and they were almost sick with the idea of having a doe season, and they were sharing with me their concerns about the predation of the wolves out there, combined with the disappearing of some habitat, and the increasing human population that's going on out there. The different industries are bringing a lot of people to the island, so they were concerned that those combined factors would really put the does at a severe risk, and I agreed with that. I still agree with that, but when this regulation was written, it was designed in such a fashion that it could be adjusted or removed at any given time without a lot of process. And so, when people were aware of that, there was some relaxing and some confidence in that. I'm hoping that if that provision stays, that people will remain to be responsible. If we do get more liberal with it with regard to openings, I just hope that our expectations are at least met. I always like to think that we can do that safely, and I think it will go a long ways, that if we can expand on access and if responsibility is the main theme in the harvest of deer, I think it will give us a little more confidence in some of what we want to allocate from time to time.

So, those are my personal observations, but I do want to share that I was approached by two very credible trappers on Prince of Wales, and they were really concerned. And that's much of what they shared with me. Guy has brought a new bundle of wisdom, energy, eloquence, radiance, to discuss our TLMP. And she's here from Juneau. Let me introduce you, Ms. Beth Pendleton. Would you come up to the table, please and give your name for the recorder?

MS. PENDLETON: Beth Pendleton, and I'm the co leader of the IDT Team, for the revision of the Tongass Land Management Plan.

CHAIRMAN THOMAS: Thank you.

MS. PENDLETON: And thank you for the gracious introduction. I understand that yesterday Guy Cellier had the opportunity to speak before you, and give you a brief update on what's going on with the Tongass Land Management Plan revision. And I'm just going to highlight a couple of things. I also understand that the Council would like to meet with the TLMP team, to get a more in-depth briefing of the alternatives that will be in the draft that will be coming out the end of March. So, let me just highlight a few things.

First, as I mentioned, we are rapidly approaching completion of the draft plan, and it will have an array of nine alternatives, one of which will be Alternative P, which was put forward in the draft plan in 1991. I think, as most of you know, that was not the final plan, and record of decision were not signed in '92, because there were a number of issues that were highlighted as not having been adequately addressed in the plan. Of course, wildlife viability, fish protection, CARST (ph) and CAVE (ph) management, socioeconomic issues, and also

alternatives to clear-cutting. So, those are some issues that have received additional attention, as we've been developing the draft.

So, we're anticipating release of the draft plan in late March. And once that's available to the public, there will be a 90-day comment period, which will run through mid to late June. During that time, we have plans to visit 32 communities in Southeast Alaska, and each of those visits will be three-pronged in approach. We'll have an open house in each community, similar to what we held this past fall, when we introduced the nine alternatives. This will be an opportunity for people in the community to ask questions about the preferred alternative, and also the whole array of alternatives, to get your questions answered, and to get a better understanding of what's contained in the draft.

We will also hold public round tables in each community, and I think Guy mentioned these yesterday. This is going to be an opportunity provided to each of the communities to take a real hard look at the socioeconomic analysis that's been done regarding each of the alternatives in the plan, and in this round table forum, to get questions and concerns, answers, and to make sure that those are brought forward to the Forest Service, as part of the comment period.

And then also, in each community, we will hold a formal subsistence hearing, and that will be held in the evening at each of the communities that we will be visiting. We are anticipating at this time, barring any major obstacles, and I think, as most people know, we've certainly had our share of obstacles in getting this plan out. It's highly political, but we are anticipating getting out a final plan this summer.

And if I can just reiterate, I think the most important thing that we have to do, and that is to ensure that we get input into this plan, and it's critical during that comment period that we do hear from people, and that we provide that opportunity to get questions answered, and to get that input in development of the final. We would like to -- I'm prepared to talk a little bit about the alternatives. You could go into a lot of detail, and this probably isn't the appropriate time. We would like very much like to arrange for a time once the draft has come out, and we'd look at some time in April, as probably being the most feasible, to get together with the Council and do a very -- a more detailed briefing on what is contained in the draft.

CHAIRMAN THOMAS: We discussed this yesterday, and our ambition is to be able to have a special meeting, with a limited focus, just for the TLMP exercise. And the magnitude of importance was stressed to us on several occasions yesterday, and so, we have agencies now that are trying to find resources that will afford for us to be able to meet for that. And we're hopeful that we can. And if we don't have the money to conduct that meeting, I'm not sure what alternative we will consider.

But I'm glad to hear that you folks are willing to take that time with us, to help us understand and give us a better opportunity for a more accurate response.

MS. PENDLETON: Good. I do have some materials that I brought. One is a one-page, two-sided chart that gives some of the overviews of the alternatives, which I would like to leave, and I do have a few other handout materials that describe those alternatives.

CHAIRMAN THOMAS: Okay. Any questions up to this point from anybody? Mim.

MS. ROBINSON: Yeah, I had a couple of questions.

MS. PENDLETON: Um-hum.

MS. ROBINSON: One, how frequently is the plan revised? Is there a regular scheduled thing, every few years or something?

MS. PENDLETON: Under the National Forest Management Act, we are required to update the plan every 10 to 15 years. The initial revision for this plan began in 1988, and we did actually have a draft plan that was -- went through the comment period in 1990, and we also had the Tongass Timber Reform Act that required us to go back and make some significant amendments to the plan. We got all the way to the point of having a final plan and -- but, we did not get the record of decision to sign in 1992, and that was primarily because there were a number of issues that were not adequately addressed in the plan.

MS. ROBINSON: Okay, thanks.

MS. PENDLETON: Um-hum.

MS. ROBINSON: And the other question I have is, I understand that initially Dale Kanen was going to be on this team that you're head of,

MS. PENDLETON: Um-hum.

MS. ROBINSON: and kind of representing Subsistence, and I guess he's not going to be on it now, and there's been no replacement, so basically what I understand, subsistence is not being represented anymore on this team. And I'm just wondering if -- I would really -- I don't think that's right. I think that subsistence needs to be represented -- well represented on their, not just incidentally by people, and I'm just wondering what we can do about that to rectify that.

MS. PENDLETON: Yeah. I visited a little bit with Guy on the way over to the airport, and he did indicate some concerns about that, I think that's something that we should revisit. We certainly -- subsistence certainly has been a big issue, and has received attention in the socioeconomic analysis, and of course, Guy has been spearheading that for the team, and has worked very closely within the communities to get that accomplished, but we will give some consideration, I think, to your concern.

MS. ROBINSON: Thank you.

MS. PENDLETON: Um-hum.

CHAIRMAN THOMAS: That makes me curious as to what mechanics happen when they decide priorities for consideration in a plan like that. There's nothing more at risk than the ecosystems,

MS. PENDLETON: Um-hum.

CHAIRMAN THOMAS: habitats. And is there other agencies that are assuming the responsibility to represent the welfare of those areas?

MS. PENDLETON: Yeah, I think yesterday, we had a policy group meeting in Juneau. The policy group is an arm of the TLMP planning process, and is represented by individuals from the State, from the Fish and Wildlife Service,

from EPA, from the National Marine Fisheries Service, and they have been providing substantial input into the plan, and also making recommendations, as relates to a preferred alternative. So, there has been substantial involvement on the part of other agencies in the state in the plan.

CHAIRMAN THOMAS: I think I agree with my members of the Council. We should get some subsistence people on there, because those are collateral responsibilities by the people you mentioned, and we're just not confident that the due consideration for this area will be -- really be represented.

MS. PENDLETON: Um-hum.

CHAIRMAN THOMAS: So, we'll probably put some effort into that, too.

MS. PENDLETON: Okay.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Yes. I was just wondering, would it be appropriate or okay to have you write a letter to the Council to Bill, once a decision is made about that, who will be on the -- be placed on the team for subsistence, or how you plan to address that, once you know more,

MS. PENDLETON: Absolutely. Um-hum.

MS. ROBINSON: and get back to us on it,

MS. PENDLETON: Um-hum.

MS. ROBINSON: so we know that it's being dealt with? I know -- I'm sure you're going to be busy. Thanks.

MS. PENDLETON: Oh, we are.

MS. ROBINSON: Yeah. Thank you.

MS. WILSON: Mr. Chairman.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: Couldn't the Council write a letter to - your department, and ask that somebody be put on their for Subsistence? I mean, that represents -- that could represent the subsistence?

CHAIRMAN THOMAS: Is that a motion?

MS. WILSON: I so move. But somebody better make it -- better worded.

CHAIRMAN THOMAS: That sounds pretty good to me.

MS. ROBINSON: Yeah, I'll second it.

CHAIRMAN THOMAS: Moved and second. Discussion?

MS. WILSON: Question.

CHAIRMAN THOMAS: All in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Those opposed.

(No opposing responses)

CHAIRMAN THOMAS: Expect correspondence.

MS. PENDLETON: Okay.

CHAIRMAN THOMAS: Okay. Mary.

MS. RUDOLPH: I was wondering just how much a notice is going to be given to the communities as you're coming into the -- how much of an advanced notice will be given?

MS. PENDLETON: We are already beginning to plant the seed, as far as when the visits. We're, right now, anticipating that we'll have a draft out the end of March, and that means that the draft will be mailed and received in the communities by late March. And we want to allow at least a three to four-week period for people to get the document and have an opportunity to do a review of it in preparation for the open houses, round tables and hearings.

We are working through our local offices, the district rangers and area planners, to coordinate with the communities, to identify the best times for us to be there. No time is a perfect time; certainly we're heading into a busy season with fishing, so we will work with the communities to try to accommodate their schedules as much as possible, but we're looking at late April, into May, to be visiting communities.

CHAIRMAN THOMAS: John.

MR. VALE: Well, yesterday when we were talking about it, we were looking at perhaps the second week in May as a good time, perhaps, to get together with you guys to talk about the plan, so, thought I'd bring that to your attention.

MS. PENDLETON: Okay.

MR. VALE: And I'd offer a personal note on the process, there. When I was looking through the plan, I came on a Standards and Guidelines section, and I was kind of pleased to see some language in there that basically said that subsistence would have a priority over other consumptive uses, on the forest, which I infer to mean including logging and timber harvesting. And so, as I look at the plan, in order to bring about a priority for subsistence uses, I think we need a -- we were promised and assured by people representing the planning team, in the past, that they would work to maintain healthy, viable populations of all the different species across the forest. And so, I guess, I'm just communicating to you what I'll be looking at is eventually an alternative that does that, you know? And that doesn't sacrifice habitat and subsistence uses in order to, you know, advocate for the timber industry. And I guess that's what I'll be looking at, is eventually whatever alternative is selected, is that it -- you make good on that promise, to maintain healthy, viable populations across the forest.

MS. PENDLETON: And I think you'll see and I will leave some materials that the array of alternatives, there are some in that array that do that better than

others, but we have -- I think we've done a good job in developing, at this point, a very broad array; and one of the primary concerns is viability of wildlife and protection of fish.

MR. VALE: Thank you.

MS. PENDLETON: Um-hum.

CHAIRMAN THOMAS: We'll accept that, huh, John? Well, thank you very much.

MS. PENDLETON: Okay. And since I'm new here, if you could tell me where I should leave materials, or just on the table here, 'cause I have brought some handouts that I'd like to leave.

CHAIRMAN THOMAS: Ah, leave them to

MS. PENDLETON: Okay, thanks.

CHAIRMAN THOMAS: Fred, over there; yeah.

MS. PENDLETON: Thank you, Fred.

CHAIRMAN THOMAS: So, are you going to hang around today?

MS. PENDLETON: Yep. I'll be here till tomorrow morning.

CHAIRMAN THOMAS: All right.

MS. PENDLETON: Thank you.

CHAIRMAN THOMAS: No violent outbursts are allowed while we're discussing up here, so, thank you very much.

Okay. Before we go onto new business, do we have any old business? Okay. Item Number 7 (A), under New Business, Council Nomination Process for 1996. The Honorable Fred Clark.

MR. CLARK: Well, it's that time of year again. It's time for Council member appointments. Those of you whose seats are coming due for renewal, you know who you are. John, Gabriel, Bill, Herman, John -- I like that, when we have two Johns at the same time; I don't have to specify which one. But that's five seats that are coming up, and the latest version of receipts for Council member nominations, I have one of those people who have reapplied so far. So, I'm assuming that, at this point, that all of you are going to be reapplying for seats on the Council. If not, please let me know as soon as you can, because we need to get some concentrated work on getting other applications, especially from the areas

CHAIRMAN THOMAS: Who's up, the first four or first three?

MR. CLARK: The first five.

CHAIRMAN THOMAS: First five? Whew.

MR. CLARK: John Vale, Gabriel George, William C. Thomas, Sr., Herman Kitka, Sr., and John P. Feller.

Herman's been nominated twice already. The schedule is that the deadline for submitting applications is the 29th of this month, so you have some time, but not a whole lot. In March and April, the applications will be reviewed by regional panels, and for this region, the panel hasn't been solidified yet, but that will be done soon. In May and June, the Federal Subsistence Board will review all of the applications, and in July and September, the Secretaries of Interior and Agriculture will review the applications and appoint members to the Regional Councils.

And we're going to try really hard to get the process going a little bit sooner this year, so we can get it in to the Secretary's office so the nomination -- the appointment process can be completed well before the day that you leave for the fall meetings. It's happened too often in the past. I'm hoping that the government shutdown, partial government shutdown, won't affect this process too much, though it did set back the nomination period somewhat, so, they have you a little extra time to get your nominations in. If you don't have the forms to fill out for the application forms for Council membership, I have a whole bunch of them here.

MR. ANDERSON: Would you give -- pass some out?

MR. CLARK: I'll give one to Gabe. In fact, I'll give Gabe several, if he wants to take them and pass them around the community. I'll give everybody several, if you want them; take them and hand them around, and give them to people like you, if you want to nominate you, or if you feel like you know somebody who would be a real good candidate, and hand out these forms to them, too. The point is, is that we want to have a well-diversified council that represents the region, very, very, well. And this Council is certainly doing that and each member is doing a really good job. But, there are lots of other people in the communities who are also interested, knowledgeable, and could also do it if you don't want to.

CHAIRMAN THOMAS: I doubt that.

MR. CLARK: Certainly not like this Council does. Better than the average bear; yes. Any questions on the nomination process, or the procedures, timing?

MS. WILSON: I would

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: be interested to know which one of these five are interested in serving again. Are they all going to reapply?

MR. CLARK: Shall we do a survey?

MR. FELLER: Yeah, I've already indicated that I was interested. I just misplaced my form to fill out.

MR. CLARK: We'll get you a new one. Good.

MR. VALE: Well, I'm -- I guess I'm interested, but I hadn't made up my mind whether or not to reapply myself for it. I've gained a great deal of confidence that whether I'm involved or not that this body will do a good job in the future protecting subsistence, and I don't really feel that I need or have to be here, to -- because I think you guys will do a good job, but I am still considering applying myself. I haven't made up my mind yet.

CHAIRMAN THOMAS: Mine hinges on John's decision.

MS. WILSON: We need an interpreter.

MR. CLARK: Herman has already applied, so he doesn't have to answer.

CHAIRMAN THOMAS: Oh. Yeah.

MR. CLARK: That leaves Gabe.

CHAIRMAN THOMAS: Want to defend yourself?

MR. GEORGE: Yes, I'll apply again, although you guys certainly proved that you can work without me.

CHAIRMAN THOMAS: It wasn't easy.

MR. GEORGE: I missed two meetings.

CHAIRMAN THOMAS: It wasn't easy. So, John and I will be -- we're free agents, huh?

MR. CLARK: Okay. That's two free agents and three definite reapplications.

CHAIRMAN THOMAS: Well, Herman won the popularity contest already.

MR. CLARK: Any other questions concerning the appointment process, what stage

CHAIRMAN THOMAS: I going to reapply.

MR. CLARK: Okay.

CHAIRMAN THOMAS: Yeah. So is John.

MR. VALE: Well, I'm pleased to hear the encouragement.

MS. ROBINSON: And -- Chairman.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: John, I disagree with your statement. I think that you are needed.

MR. VALE: Thanks.

MS. WILSON: I second that.

CHAIRMAN THOMAS: Yeah, these guys are making me a motion on that.

MR. VALE: You're not getting tired of listening to me, huh? Huh?

MS. PHILLIPS: No. It's unanimous.

CHAIRMAN THOMAS: Okay, thank you. Harold, you going to apply?

MR. MARTIN: Mr. Chairman,

CHAIRMAN THOMAS: Harold.

MR. MARTIN: I'd like to commend this Council on doing a very good job, but don't get too confident; I am sending out all these applications to my people. Thank you.

CHAIRMAN THOMAS: Okay. We're going into the meat of the agenda, which is Subpart C and D. Before we do that, we'll hear from Rachel Mason.

MS. MASON: Thank you, Mr. Chairman. What I have has to do with the c&t proposals, and I don't know if you want to hear it now, or after you've already gone into Proposal Number 1, which is something that Robert is going to handle.

CHAIRMAN THOMAS: Well, what's your recommendation?

MS. MASON: My recommendation is to wait until after he's done with his thing on Proposal 1.

CHAIRMAN THOMAS: That's kind of what I thought, so that what we'll do.

MS. MASON: Okay, thank you.

MR. WILLIS: I have some props.

(Off record comments -- setting up maps.)

MR. WILLIS: Do you need my name for the record, Joe?

COURT REPORTER: I know who you are.

MR. WILLIS: Okay, fine. Proposal Number 1 that I'm going to talk about, is a statewide proposal, and I will read the issue, the primary issue, to your Proposal 1, submitted by the US Fish and Wildlife Service, would allow the taking of wildlife from a motorized land or air vehicle, on Federal public lands in all units, as long as that vehicle is not in motion. The proposal would not change the existing regulation with respect to the taking of wildlife from a boat.

The reason this proposal was submitted by the Fish and Wildlife Service is that, back in 1990 when the Federal program began, the State regulation was adopted. It was fairly lengthy and complicated, and since that time, we've had three or four proposals to modify that regulation in some way or another. After the -- I think we dealt with the third one last year, for a modification for a particular species and a particular unit, and it was decided that it would be best to re examine the entire regulation, and try to re write it in such a way that it would cover all units in the state, and all species and, therefore, eliminate the need to be constantly tweaking it, and having to go before the councils and the Board every year with a proposal which involve one unit and one species. So, that's the reason that we have the proposed change in front of us today.

Since '94, State regulations have permitted the taking of game from a motorized land or air vehicle, as long as that vehicle was not in motion. And so, now, the State regulation is more liberal than the Federal regulation. And, in essence, this proposal would not only simplify our regulation, it would also bring both regulations into compliance. And I'm not going to say a whole lot

about it beyond that. The justification is that there was no valid reason to prohibit this use, using something like a snowmobile or an ATV as a shooting platform, once it's stopped and the engine is not running, or as long as it's stopped, and not in motion. Sometimes that makes a better shooting platform, and it's a more efficient means of harvesting than having to shut the vehicle off and then get away from it in order to shoot. And for those reasons, we felt that this modification would be of benefit to the subsistence user, and have no impact on the wildlife resources.

I'll stop there, and see if there are any questions, and I think John Morrison will handle the State comments on those.

MR. ANDERSON: Mr. Chairman.

CHAIRMAN THOMAS: Lonnie.

MR. ANDERSON: Bob, is this related to water?

MR. WILLIS: No. This doesn't affect shooting from a boat.

MR. ANDERSON: Okay.

MR. WILLIS: I noticed on the agenda, there was not a spot for State comments, but I would assume that they would come in after our comments, and either before or after the public comments. Mim.

MS. ROBINSON: Mr. Chairman.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Yeah, it -- my advisory committee, we were using this book, this purple book for our meeting, and I also had something that was mailed to me, this thing here, and I was really glad I had it, because that Proposal Number 1 in the book, really stumped us. It seemed very -- presented very unclearly. It was -- we appreciated the -- and we did finally pass it once we figured out what was being talked about. I -- what I had here helped clarify what the objective was. But looking at the purple book, it was really confusing. Just -- there -- it's like too much was highlighted than should have been and I just wanted to state that to you, 'cause there may be other groups that are looking at this purple book and going, huh, you know?

So, but anyway, our committee did pass it, but I just wanted to let you know.

MR. WILLIS: Okay. Yeah, this proposal -- I'm not sure if it was in the purple book. I inherited this yesterday, or this morning, when Tom Boyd had to leave to go back north. Dick Marshall, who's just retired, is the one that wrote this up.

To give you an idea how things have been going in our office this year.

So, I did -- I was not in on the background of this one, but I do know that when it was initially published, there was a mistake and that the section down here about taking wildlife, when -- I guess it's the last sentence in that first paragraph under the proposed regulation, 'taking wildlife from a motorized land or air vehicle, when that vehicle is in motion, or from a motor driven boat when the boat's progress from the motor's power has not ceased,' that was inadvertently crossed out also.

MS. ROBINSON: Um-hum.

MR. WILLIS: That created a lot of confusion,

MS. ROBINSON: It did.

MR. WILLIS: and I just talked to John Morrison this morning about it, because the State's comments were based on the original, erroneous version. And so, not only has this one been corrected, but their comments will also be different from what was sent out officially,

MS. ROBINSON: Um-hum.

MR. WILLIS: and I'm sure John will get into that.

MS. ROBINSON: Okay.

CHAIRMAN THOMAS: Anybody else?

MS. WILSON: Mr. Chairman.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: I've seen that the State Department of Fish and Game opposes this proposal. They would recommend that the exceptions continue, and be made only by case-by-case.

MR. WILLIS: I believe that -- again, that's based on the misprinted version that went out initially, and I believe the State

MS. WILSON: Oh, on the first one.

MR. WILLIS: now -- I'll let John address that, but I believe they have removed their objection to this proposal.

CHAIRMAN THOMAS: Okay. Mr. Morrison.

MR. MORRISON: Thank you, Mr. Chairman. John Morrison, Department of Fish and Game. At the risk of destroying my well known reputation for unerring accuracy and never making mistakes, I have to open up to the fact that after we got word from the Department of -- or from the Fish and Wildlife Service that that one sentence had been lined-out incorrectly, I forgot to change our original draft response, and get it into the final draft the way it should have been and we have since notified the Office of Subsistence Management, that we would reverse that statement when we get to the Board meeting in April.

CHAIRMAN THOMAS: Okay.

MR. MORRISON: And, in effect, the way that it all reads out now, it's pretty much identical to the State's, and I'll have to admit that, along with Ms. Robinson, the great minds in the Department of Fish and Game were also highly confused by all that shading and lining-out, and it would be helpful

MS. ROBINSON: Yeah.

MR. MORRISON: to get a little clearer picture of these situations in the future.

Thank you.

CHAIRMAN THOMAS: Thank you. Well, we deliberately didn't want to get away from a shady area too far. John.

MR. VALE: So, the Department's not opposing the proposal, then?

MR. MORRISON: No. That that one sentence was the basis for our comment, that you've got a copy of.

CHAIRMAN THOMAS: So, the preliminary conclusion reads, 'allow the taking of wildlife from motorized land or air vehicle, as long as that vehicle is not in motion, and can legally be used to access the area.' That's consistent with both departments?

(Morrison and Willis nod in the affirmative)

CHAIRMAN THOMAS: Okay. So, if we adopt this proposal, then that preliminary conclusion will be converted to our recommendation, if that's what we choose to do. Okay.

MR. VALE: One last question, Mr. Chairman.

CHAIRMAN THOMAS: Let's see if there's any public comments, first. We're to a different area, now. We're into the public time, now. Is there any public comments on this proposal? Is there anybody here from the public? No. Well, a pretty captive audience. Okay, John, you've got it.

MR. VALE: Well, I guess the confusion that you already talked about probably is why that when we had our meeting the representative of the Department said they were opposed to the proposal, for safety concerns. And so, that's, anyway, been resolved with that one section?

MR. MORRISON: True.

MR. VALE: Okay.

CHAIRMAN THOMAS: Are we ready to act on this and dispose of it?

MS. ROBINSON: I move that we adopt Proposal 1.

CHAIRMAN THOMAS: You heard the motion, is there a second?

MR. ANDERSON: Second.

CHAIRMAN THOMAS: Moved and seconded. Discussion?

MS. ROBINSON: Question.

CHAIRMAN THOMAS: Question's been called. If this motion is adopted, then we'll convert the language on preliminary conclusion to Council recommendations. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed.

(No opposing responses)

CHAIRMAN THOMAS: Motion carries. Okay. Rachel, is this your cue?

MS. MASON: Thank you, Mr. Chairman. Before I get into the proposal analyses, I just wanted to briefly give a report on the deferred customary and traditional proposals, and how you guys ended up with four c&ts instead of the 13 that you recommended before. At the time of our meeting in Craig, the Federal Subsistence Board had decided to do the customary and traditional determinations on a case by case basis, instead of on a regional basis; and since the beginning of the Federal Subsistence program, over 200 proposals had come in for individual c&ts, and that was referred to as the 'backlog'. So, this Council went through the whole backlog. There were approximately 32 proposals in that backlog that referred to the Southeast, and boiled them down to 13, by combining them, or the ones that were similar were combined to come up with 13.

After those -- all the proposals from all the regions had come in, then the Fish and Wildlife staff then undertook further prioritization, which resulted in some of them getting deferred. And this was just mostly in regard to the current concern of trying to complete all the analyses for c&t that had come in, on top of all the Subpart D proposals that had come in. So, the Fish and Wildlife staff, their management team evaluated all the c&t proposals and made a cut, depending on which proposals would have the least impact on subsistence users if they were cut, or if they were deferred further. So, there was then a second cut after the first one, which resulted in a total of 24 c&t proposals, and four of them came from this region. So, basically, there are nine of the 13 that you originally requested, which have been deferred. And lest you think that there's some backsliding going on, at least there isn't 32, like there were before. There's still nine that are deferred, but I think the assumption is that those will be taken up during the next cycle of analysis, which would be next year.

Now, I have a few things to say about those four, that have been analyzed this time. The four c&t proposals that came up before you this time present a real variety of potentially difficult issues, and since this is the first time you've dealt with this on an individual basis, in this meeting, you're really going to be faced with having to set the standards for future c&t. And so I worked on these analyses, I grappled with these problems, and I just wanted to tell you some of the issues that came up, so you'll be aware in advance, before I start presenting them.

One difficult question that came up is, what if there's either no record of harvest in an area, or it's an uneven record, but there is some either archeological evidence or ethnic graphic evidence that use occurred in the past. You know, and how do you deal with the problem of an uneven harvest record? That's one thing. A second problem is how do you deal with introduced species? And a question that came up a couple of times in these particular analyses was, does past use from trade constitute customary and traditional use? And then the third question that came up is, how far is 'reasonably close' to a community, because that's one of the issues that is -- factors that are considered in it, and so, you just wonder, what is -- how far somebody would travel for something that's customary and traditional? And also the question that also comes up is, how long is a long term pattern of use.

So, I just wanted to put those before you, because basically your actions on these c&ts are going to set a standard for future actions. So, I'll deal with any questions, if you have any.

MR. VALE: Do you have a list of those questions, I mean, in black and white, to look at?

MS. MASON: I just have my crude notes here, that I made, but it -- I think it will become quite clear as we go through the c&t analyses, what the difficult issues are.

MR. VALE: Okay.

CHAIRMAN THOMAS: Well, they won't be difficult by the time we get through here, so,

MS. MASON: They'll get easier and easier, huh?

CHAIRMAN THOMAS: Easier and easier. Okay. Are we ready to roll?

MS. MASON: Okay.

CHAIRMAN THOMAS: Can you guys carry on while I get a cup of coffee?

MS. MASON: Shall I just go ahead?

CHAIRMAN THOMAS: Yeah.

MS. MASON: Okay. Proposal 2 requests a positive customary and traditional use determination for brown bear in Unit 1, for residents of Wrangell, Klukwan, Haines and Skagway. And do we have a Unit 1 map? Okay. Well, yeah. If people want to consult their booklets, it might be helpful. I think it would be more helpful to look at your orange booklet, because that divides up into -- it's Unit 1(A), Unit 1(B). Yeah, the regulations book.

MS. ROBINSON: This one?

MS. MASON: That's right. The orange regulations book would be the most helpful thing to refer to.

(Off record comments - looking for books)

MS. ROBINSON: There's more on the table in the entrance way, I think.

MS. MASON: Okay. Yeah, it's on Page 22 of your orange regulations book. The - under the existing regulations, there is no customary and traditional use determination for brown bear in Unit 1, except that there's no subsistence eligibility for residents for the four communities referred to in the proposal, Klukwan, Haines, Skagway and Wrangell. And so, what this proposal does is, for residents of those communities, it changes a negative c&t to a positive one.

It's clear that brown bear has traditionally been an important resource for indigenous Tlingit and Haidas of Southeast Alaska, and not only was the meat eaten, but other parts were used to make clothing and tools, and the bear also has important ceremonial meaning. It's also undeniable that bear hunting has declined in recent years throughout the area that's under consideration here. For example, the community harvest surveys that were conducted by the Division

of Subsistence, either in 1983 or in 1987, did not record any harvest of brown bear by any of the residents of the four communities that are being considered here, by Haines, Klukwan, Skagway or Wrangell. And it appears that those communities take brown bear for subsistence only occasionally.

Nevertheless, there is harvest sealing data from ADF&G that shows that most of the bear harvests in Unit 1, since 1960, have been by Southeast Alaska residents, including residents of those four communities.

CHAIRMAN THOMAS: Was that -- now, in some cases, you make reference to the Native communities; in this case, you didn't, with the --

MS. MASON: Pardon me?

CHAIRMAN THOMAS: with the harvest records. Do you know whether those were Native hunters or not?

MS. MASON: Whether those are predominantly Native communities or not?

CHAIRMAN THOMAS: No, the hunters themselves.

MS. MASON: No, I don't, I don't. This was from bear sealing records, and they don't distinguish whether they subsistence or sport harvest, or anything about the hunter characteristics.

CHAIRMAN THOMAS: Okay.

MS. MASON: And it -- what made it even more difficult, in Unit 1(A), was that Saxman hunters were undoubtedly represented, but because they didn't have -- they were not separated from Ketchikan's tickets, then it's impossible to tell which ones were Saxman's and which ones were Ketchikan's. The same is true of Haines and Klukwan tickets, that the Klukwan hunters were not separated from Haines ones in the harvest tickets.

Because of the large size of the unit, the conclusion was that the proposal should be modified, in order to allow customary and traditional use eligibility for brown bear for Wrangell in Unit 1(B), for Haines, Klukwan, Skagway and Wrangell in Unit 1(C), and for Haines, Klukwan and Skagway in Unit 1(D). Without any more information, no determination can be made in Unit 1(A) for brown bear, for residents of Haines, Klukwan, Skagway and Wrangell. And the reason that I thought in that way, or thought in terms of that kind of modification was basically that it's such a long distance from the top of Unit 1 to the southern end of Unit 1, and there's no way to know what -- we don't know any information about hunting that went on outside of the regions, but given that aboriginal residents of this region did have clan territories, local territories for hunting, I think it can be assumed that, if there were brown bear in Unit 1(A), you would hunt in Unit 1(A).

Now, further, this was the first proposal we discussed, and there was a lot of discussion of it. Fred and I went back over the transcript to see exactly what had been wanted in this proposal, and it was -- I'm sorry to say it was almost impossible to see what it was, but I think that as it's written, the proposal would give customary and traditional eligibility to those four communities, but not to the other residents of Unit 1. It would remain no determination for other units of residents -- of residents of Unit 1. So, I wanted to give the possibility of modifying the proposal to reflect the other residents of Unit 1,

so, another -- a suggested modification is included in the preliminary conclusions.

And that would be to allow customary and traditional use eligibility for brown bear in Unit 1(A), for rural residents of the subunit, in Unit 1(B) for Wrangell and rural residents of Unit 1(A); in Unit 1(C), for rural residents of that subunit, as well as Haines, Klukwan, Skagway and Wrangell, and then in Unit 1(D), for rural residents of the subunit.

MS. ROBINSON: Mr. Chairman.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Yeah, thank you. I really appreciate your conclusions and how you could take out of our discussion at that last meeting what it was we were trying to do; I feel like you've captured it, here.

MS. MASON: I hope so.

MS. ROBINSON: That last meeting, there was a lot of confusion about what we were doing, and what the objectives were, and how to go about it and that kind of thing. There was just a lack of guidance, I think, really. I mean, it was just -- we just didn't -- we were all muddling around in the dark

MS. MASON: Um-hum. (Affirmative response)

MS. ROBINSON: trying to figure out, well, what are we doing here? You know, it was just like -- but anyway, it looks like you've captured the -- what we were after. I was just thinking, also, that the survey that John was talking about, and Patty and stuff, that would have been -- if those had been, that would have been helpful

MS. MASON: Right.

MS. ROBINSON: during this process, so we could look for each community for brown bear and know what communities need to be taken care of, 'cause, I mean, it's all kind of hazy in my mind right now, what areas, what places do use them. So, that's just another example of why those surveys would be helpful.

MS. MASON: Yes.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: As usual, I'm totally confused, again. But, up in Haines, we have a lot of State land, and I'm still not sure where the Federal land is up there. I think it's way up in the mountain, though, that we have Federal land. But most of our bears is on the State land. So, how does that work for us up there, and and what (indiscernible) is Unit 1(A), 1(B), and so forth?

MS. MASON: Well, it's a difficult problem to say how does this work for us, in terms of customary and traditional eligibility, because from one point of view, if you have used that bear customarily and traditionally, you use it whether or not it's State or Federal land, or whatever land it is. So, it -- from that point of view, it should not -- it shouldn't matter for this. But from another, the Federal Subsistence Management Program cannot regulate harvest for that bear unless it is on Federal public lands. So, that has to be taken into consideration. And I think that the customary and traditional analysis can

recognize the past use and so forth, but the management of hunting of it has to be on Federal public lands if it's in the Federal program. Now -- and what was the other part of your question?

MS. WILSON: What part of our -- in the northern half of Southeast, are we Unit

MS. MASON: That's 1(D).

MS. WILSON: 1(D)?

MS. MASON: Yeah. It's starts at the bottom, with 1(A),

MS. WILSON: Oh.

MS. MASON: and then it's 1(B), 1(C) and then 1(D) is the northernmost.

MS. WILSON: I have another question. The people up in Haines and Klukwan are under State regulations, so it's every four years that they can hunt bear there.

MS. MASON: Yes. That is a significant point, because that may well have affected harvest levels; if you can only harvest one every four years, you're not going to be responding every year to a harvest survey saying you got a bear, so restrictions by regulation have definitely been a factor in the less brown bear harvest.

MS. WILSON: The way this regulation reads, are -- is Klukwan and Haines going to be able to go down elsewhere in Unit 1 to hunt for bear on public lands?

MS. MASON: Yes, they are. According to the preliminary conclusion, Haines and Klukwan and Skagway would be able to go to 1(C), and as well as in 1(D), so they would be able to have eligibility throughout 1(C).

MS. WILSON: 1(C) and 1(D)?

MS. MASON: That's correct. They would be able to go in part of Unit 1, but not all of it.

CHAIRMAN THOMAS: Okay. If we were to adopt this proposal, give us some idea of what our recommendation would read. Mim.

MS. ROBINSON: Well, I was -- the suggested modifications that you have under the preliminary conclusions look like they'd be a good idea. I'm also wondering about some further modifications that you suggest, under the second paragraph in the justification section, and I'm wondering why you didn't put that in with your preliminary conclusion part. You mentioned Saxman, Metlakatla, Hyder and other rural residents of 1(A), et cetera, and that whole paragraph, I feel like I need to write out a graph or something, and -- to figure -- all these names are being thrown out at me in this unit there, and that unit, and this -- people from this town go over to this unit and don't go to that unit, and I -- geez.

MS. MASON: Yeah -- yeah. Well, there

MS. ROBINSON: So, I -- but I'd like to include everyone in these four units that -- subunits that have this customary and traditional use, but I need help.

MS. MASON: Yeah. I can see that. Well, the reason it's not in the same paragraph is because the top one under the preliminary conclusions, that's just the short version. This is the short and then the explanation for it is supposed to be under the 'justification.' Now, this was not really part of the body of the analysis, because it was technically not the proposal.

MS. ROBINSON: I see.

MS. MASON: So there is not the full blown analysis of it. However, within the body of the proposal, you will notice that these other communities such as Metlakatla are included. What harvest data I was able to find from them is included in it, so the modification that is referred to under the preliminary conclusions that takes into account the

MS. ROBINSON: The other areas?

MS. MASON: Right, those other areas.

MS. ROBINSON: So, we don't need to have that in the language for the proposal?

MS. MASON: Those other communities are included in the suggested modification, as

MS. ROBINSON: Oh.

MS. MASON: rural residents of Unit 1.

MS. ROBINSON: Oh, I see. You just don't list them by name.

CHAIRMAN THOMAS: Yeah.

MS. MASON: That's correct.

MS. ROBINSON: Okay.

CHAIRMAN THOMAS: They're already in there; yeah.

MS. ROBINSON: Okay. So, if I could maybe make a motion that we adopt Proposal 2 as modified. Would that be -- I'm not sure how I would --

CHAIRMAN THOMAS: Well, it just --

MS. ROBINSON: for

CHAIRMAN THOMAS: yeah, as modified.

MS. ROBINSON: Can I just say that, or do I need to read off of this

MR. VALE: Could we entertain a few more questions before you throw a motion?

MS. ROBINSON: Sure. I -- yeah.

CHAIRMAN THOMAS: Well, actually, your discussion period and questions come after the motion is made.

MS. ROBINSON: Whatever.

CHAIRMAN THOMAS: That's part of the motion.

MS. ROBINSON: Whatever.

CHAIRMAN THOMAS: Sure.

MS. ROBINSON: I didn't actually make the motion yet; I just said, 'could I.'

CHAIRMAN THOMAS: Well, the Chair is entertaining one.

MS. ROBINSON: Huh?

CHAIRMAN THOMAS: The Chair is entertaining a motion.

MS. ROBINSON: Oh, okay. Well, then, I'll move.

CHAIRMAN THOMAS: Is there a second?

MS. WILSON: I'll second it.

CHAIRMAN THOMAS: Okay. Now, we've got lots of time for discussion. John.

Oh, by the way, if I don't see you guys, you know, call out, okay?

MS. ROBINSON: Okay.

CHAIRMAN THOMAS: If you would.

MR. VALE: I guess one question that comes to mind for me, looking at this here, is, for one, in the Unit 1(B) and 1(C), I look at Haines, Klukwan and Skagway in the northern half there, and I -- from the information I've seen in the past, and it's not all here in front of us, I don't have any doubts that there are c&ts by residents of Haines and Klukwan. My question is, what information do we have that Skagway has customary and traditionally harvested brown bear, I don't see -- I'm wondering about -- you know, we don't have harvest information, any of that presented here. And I see that their pounds per capita is quite low compared to the other communities, and they only harvested three resources, according to the information there, and I -- my question is both to you and to someone whose familiar with Skagway and who knows what they do up there. I'm -- you know, I kind of want some justification there.

MS. MASON: I was very hard put to find evidence about Skagway's harvesting, and I must admit that that's a very strikingly low figure of pounds per capita. That was the only strong piece of information I had about them, so, if there is somebody else here who is knowledgeable about them, that would be a welcome addition.

MR. MARTIN: Mr. Chairman, I'd just like to make a comment. The lady asked a little while ago, how far should you go for your customary and traditional practices. I think if customary and traditional uses of brown bear are relevant among our people, we should be able to go anywhere, and all communities should be available or eligible for the use of brown bear in customary and traditional uses. We got involved in a suit against the US Fish and Wildlife Service in regards to sea otter. Some of you are familiar with the Katelnikoff (ph) case, the Teddy Berg (ph) case, and the Boyd Didrickson (ph) case in Sitka. Their arts and crafts were seized, because they were determined non-traditional. They

used zippers and the lady made dolls. Somebody determined that Natives didn't play with dolls, since way back when.

But we won the case and in one of Judge Holland's opinions, he stated -- he made a statement that I really like. Some of you know that when sea otters became endangered, there was a very big fine on it, and that's all we, as Natives, ever knew; there was a big fine on it, and we weren't -- we didn't touch them, although we were eligible to take sea otters, under the Marine Mammal Protection Act, we never bothered them; and so, the Fish and Wildlife Service kind of capitalized on that, and one of the statements that Judge Holland made was that the fact that Natives have not used sea otters for many, many years, makes it no less a tradition. Our traditions and customary use lives on, and I think we should all be eligible.

Thank you.

CHAIRMAN THOMAS: Thank you. Bob.

MR. SCHROEDER: Is this a good time for State comments?

CHAIRMAN THOMAS: Yes.

MR. SCHROEDER: Thank you, Mr. Chairman. I agree with many of the points that Rachel raised concerning how the way you deal with c&ts is basically the setting the policy for how you will look at c&ts. And so, how you act on these proposals will tend to set a stage for how you act on future proposals. She mentioned four things that were, in her mind, when she was going through and trying to evaluate whether or not these were customary and traditional uses; those were -- are problems that arose. One had to do with the question of whether there was no record of harvest, or uneven harvest records, whether the species was introduced, whether they were caught or taken reasonably close to communities, and how long is long term.

I think another thing that you need to consider is what type of use takes place, particularly with respect to brown bear. Most of the information that is before you in describing customary and traditional use is from a report prepared by the Division in 1992, by Mr. Thornton, who worked with us at that time. And what we were after in that report, was to sum up what we knew about brown bear harvests in Southeast, and to examine what sort of traditional use occurred at one time, and to see how much of that use was occurring at the present day.

We found some really interesting stuff. Quite clearly, brown bear harvesting was an integral part of what is was to be a Tlingit in Southeast Alaska. And brown bears are intimately tied in with Tlingit crests and clan names and house names; they're intimately tied in with some of the most interesting teaching stories in Southeast. Even the names of bears, and how, probably, we shouldn't even be saying the word 'brown bear' over and over. It's probably going to be real bad luck for all of us in the future, to refer to such a amazing creature, by a term other than 'uncle' or 'old man'. So, perhaps I'll continue to refer to the to this creature as 'the old man'.

The traditional use of brown bear was not to get a brown bear and to pin it up on your wall as a trophy. And I've never heard a Native person in Alaska say that they hunted for trophies. At the present time, as near as we could tell in 1992, virtually all brown bears taken in Southeast Alaska were destined to be hung up on a wall, or a floor, and the brown bears were basically not being hunted for meat at the present time.

The customary and traditional use determinations for brown bear in Southeast cover brown bear -- at the present time, cover brown bear in Game Management Units 4 and 5. These regulations and these customary and traditional use determinations were largely the result of Mr. George, when he worked with the Department, I believe, in Board meetings in 1983, where he provided really good documentation of ceremonial use of brown bear, and made the case that that use should be recognized.

The negative determination for brown bear, for the communities that are listed, is a carry-over from a Board of Game determination that was made sometime after that. By my recollection, the 'no determination' or the negative determination, came as a result of a need to shorten seasons for bag limits in some way. So, I -- let's see. Maybe I can basically leave it at that point.

I think at this point you really need to consider what kind of information you need to have to say that there is a customary and traditional use of a species in an area. There is definitely is harvest of brown bear, and based on the sealing records, that's really clear. We have no evidence in our '92 report, and we haven't heard since then that there's -- that there are a substantial number of people who are hunting brown bear and using it for food.

The one other thing that I'd add at this point would be that if there is a customary and traditional determination made for brown bear in this area, shortening or changing seasons will likely become a real headache and it would be pretty complicated, because any reduction in the existing season or bag limit would be a restriction on subsistence uses, and it would probably put -- would very well put brown bear hunting in this area in a Tier II situation. So, those are some comments.

What the State will be doing with respect to c&t proposals will be looking at information and seeing if the information's adequate to support customary and traditional use determinations based on the eight criteria. So, that will be, basically, the way the State will be phrasing its comments, both to Regional Councils and then when we comment in writing on the staff proposals. So, the State will not be telling you what to do, 'cause basically, the Regional Councils and the Federal system have to make c&t determinations. However, I hope you'll consider some of the points I raised.

CHAIRMAN THOMAS: Thank you. John.

MR. VALE: Bob, do you have any specific knowledge about Skagway's use of brown bear, and also Gustavus and Hyder? Any of those three communities, if you have any?

MR. SCHROEDER: I've got -- I have nothing that I don't think Rachel summarized, there. About all we'd know would be the -- from the sealing records, that, in fact, someone who was a resident in those places did or did not get a brown bear.

Just back to when we did this work in '91, we were very hard-pressed to find anyone in Southeast Alaska who hunted brown bear for food, and we looked pretty hard. In fact, we thought that we would find hunters who regularly took brown bear for food, and part of this report is talking about some of the factors that Rachel brought up about why this tradition of hunting brown bear may have been discontinued. And some of the ideas are that the regulatory system at the present time doesn't allow for a normal development of traditional hunting. And

then, there are other historical factors that may have really discouraged people from taking bears years ago.

CHAIRMAN THOMAS: John.

MR. VALE: Do we have any kind of sealing information or harvest information, in black and white, that shows harvest from any of these communities?

MS. MASON: Yeah, there is some from Skagway. There are -- is some harvests have been reported in 1(C) and 1(D). Gustavus? I'm not sure; I don't think there was anything from Gustavus, and

MR. VALE: How about Hyder.

MS. MASON: I don't think Hyder, either. I'd have to check that. If there are records of harvest by Hyder, they are very modest.

MR. VALE: Might follow up on this a little. I wonder, Marilyn, if -- Marilyn?

MS. WILSON: Yeah.

MR. VALE: I know you used to live in Skagway. Could you, by chance, tell us a little bit about the community, and, you know, is there a significant Native population there, and do they have a tradition of harvesting brown bear? Do you have any knowledge about that?

MS. WILSON: Yes. I grew up there most of my life, and my husband grew up there; his father and mother moved there in the early 1900s, from Chilkoot and Klukwan, and his uncle moved there from Chilkoot, and that was in the early 1900s, and I know they hunted goat a lot, but I'm pretty sure they hunted bear down -- they went back to Chilkoot. But I don't know if they hunted it up in that area of Skagway. That's all I know.

MR. VALE: Okay.

CHAIRMAN THOMAS: Mim. Or, John Feller.

MR. FELLER: Yeah, Mr. Chairman, I just wanted to talk about our area here, 1(B), and I guess we could extend the boundaries up into British Columbia, there, around the Stikine River, but my clan -- my mother's clan is Nan' yai yee, Tlingit; they're a top clan in Wrangell, and they have -- their legends was to do with the bear and the goat, actually, when they -- during the flood time, where they got in trouble trying to get up the mountain, and kept running into mudslides and it was said that the bear had even talked to them and told them how to negotiate this -- these mudslides. And so consequently, they took the bear as their crest. They showed the bear, and that tradition was going on, I think, up -- Richard Reinhart told me about that; his grandfather had hunted -- I think his name was Jack Bell, probably around the turn of the century, or before 1920, anyway.

And I think you -- Rachel mentioned 1960s there was some, and that brought to mind one of our professional hunters around here at that was Lee Alex (ph), Sr., and I think his son still has big-bore rifles, .375 H&H. But there -- I don't think there's very many people that hunt bear now like that, that I'm aware of, and I know there's a lot of bear out there, and that's why I wanted to keep this door open, because right now, our -- we're trying to -- our IRA in Wrangell and

the Wrangell Property Association is trying to get back that crest from the Berg (ph) museum. I should have brought a picture of it down here. It's a bear head and has copper and abalone and it's really beautiful and intricate, and very valuable to our clan; and we're in the process right now of trying to beat the deadline to get it back.

So, that's all I have here, Mr. Chairman. Thank you.

CHAIRMAN THOMAS: Thank you. Mim.

MS. ROBINSON: Thank you, Chair. In the -- under the 'justification' part, it -- there -- it's stated, "while there is little ADF&G harvest data from 1960 to 1994 on the use of brown bear in Unit 1(A) by residents of Saxman, Metlakatla, Hyder or other rural residents of Unit 1(A), it can be established both that Native Alaskans living in this area traditionally took bears there, and that there is historical use of the area." And I'm just wondering how it can be established? It's just sort of a vague statement, there. I'm just -- where did that information come from?

MS. MASON: Yeah -- yeah. That, basically, was -- it was taken from sources such as the one that Bob is citing here, that Tom Thornton wrote, stating that bear was in widespread use by indigenous peoples of Southeast Alaska, and also that there was -- there were territories that were under the control of certain localized groups.

MS. ROBINSON: Okay. Hey, Rachel,

MR. FELLER: I think she's indicating you don't need to get that close to the mic.

MS. MASON: Yes -- oh, sorry. Yeah. I'm blasting us all out here, right? I'll just sit right here. Yeah, I wondered why everybody was laughing.

(Off record comments - laughter)

MS. ROBINSON: Thank you, Rachel.

CHAIRMAN THOMAS: Further discussion? Patty.

MS. PHILLIPS: We had some heated discussion on Prince of Wales, on the establishment of c&t, and I felt strongly that we should be broad with our c&t designation, but I -- you know, I go home and I think a lot about the decisions and the things I say, and the things I hear from these meetings, and I think that your preliminary conclusions are good, but I have concerns about Gustavus having c&t. And this is where I'm -- I feel strongly that we need to have sub categories in communities within communities that can have c&t use, but part of the community not, because I realize it's a National Park Service community, but it's also an original site of the Hoonah people.

And so, one part of me wants to give this community c&t on brown bear, but the other part of me doesn't. So, I don't know. This is where I want to come in and say, well, we'll establish c&t for Alaska Natives in Gustavus, but I don't know if that would be acceptable. But I just wanted to get that out in the -- get out on the floor.

CHAIRMAN THOMAS: Well, it talks about residents; it doesn't distinguish people. It talks about residents in general of an urban area -- I mean, a rural area. John.

MR. VALE: The motion right now is to -- Mim.

CHAIRMAN THOMAS: The motion right now is to adopt the proposal to modify to allow the customary and traditional use eligibility for brown bear in Wrangell, Unit 1(B), for Haines, Klukwan, Skagway and Wrangell in Unit 1(C), and for Haines, Klukwan and Skagway in Unit 1(D).

MR. VALE: Okay. Well, I'm going to offer a motion to amend our original motion, and my motion is to delete Skagway from the first group there, for 1(C) and 1(D); and 1(A), to delete Skagway all together, and also to delete Gustavus and Hyder from the group in there. I don't feel like I've had enough information to support these communities, and until that information is brought forward, I can't really support them. So, that's my motion.

MS. WILSON: Mr. Chairman, I second that motion. I have a comment.

CHAIRMAN THOMAS: Okay. There's a motion and a second to amend. Discussion? Marilyn.

MS. WILSON: This seems like we're sitting on the State Board -- I mean, the State Committee Regional Council again, but I don't see the reason for cutting Skagway out, when there's people up there that live up there and that probably get bear. And I would like to see the c&t list, because I'm not up on that. And where is it? Is it in our booklet, our c&t list?

MS. MASON: Are you referring to the c&t determination that's already there? That's -- it's in here; let's see.

MS. PHILLIPS: You don't have it; it's in there.

MS. WILSON: Oh, it's in there? I left it in the room.

MS. PHILLIPS: Let's see,

MS. MASON: On Page 18, it says that -- it's 'rural residents' -- oh, wait, nevermind. No. It's 'no determination,' except there no subsistence for the four communities that were originally considered here, Wrangell, Klukwan, Haines and Skagway.

MS. WILSON: Well, I'm against the motion in cutting Skagway off, because there's a bunch of Natives up there that could possibly use it. It's like saying -- like they did with our -- I just want to make a comparison. Years ago, this -- the Fish and Game Advisory in Haines cut off -- or advised to cut off that -- what do you call that fishing you fish off of the shore?

MS. PHILLIPS: Setnetting.

MS. WILSON: Setnetting. They cut set netting out, and I used to do that when I was younger. But because there was no one setnetting at that one year, they discontinued it, and I don't think that was right. And the opportunity should be there, because that's historically part of what our people live, and it just doesn't seem right to me to cut Skagway out.

CHAIRMAN THOMAS: I agree with Marilyn. I think by including them doesn't provide any negative use of that. So, any other discussion?

MR. VALE: I would, with my second's concurrent then, I would reinstate Skagway, and leave Gustavus and Hyder still to be deleted.

MS. WILSON: Okay.

MR. FELLER: Harold.

CHAIRMAN THOMAS: It's the property of the Council right now.

MR. FELLER: Okay.

CHAIRMAN THOMAS: We're under a motion.

MS. ROBINSON: Another motion?

CHAIRMAN THOMAS: We're in the motion now.

MS. ROBINSON: Oh.

MR. VALE: Well, I'd move to amend my amendment, and reinstate Skagway.

CHAIRMAN THOMAS: You heard the amendment to the amendment?

MS. WILSON: Yes, I second on this issue.

CHAIRMAN THOMAS: It's been second (sic).
Any discussion?

MR. VALE: Question.

MR. FELLER: Question.

CHAIRMAN THOMAS: Question was called on a second amendment. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Those opposed.

(No opposing responses)

CHAIRMAN THOMAS: Okay. Now, they are -- the language reads, then, that Skagway has been reinstated. Any further discussion on that amendment?

MS. WILSON: Read that amendment again, please, or

CHAIRMAN THOMAS: The amendment just includes Skagway, but not Gustavus and Hyder.

MR. FELLER: Hyder.

MR. VALE: One

CHAIRMAN THOMAS: John.

MR. VALE: note on further discussion. You know, when we make c&t determinations, I think we need to look at the eight criteria, and when I look

at these communities, I go through the eight criteria, you know, taking them one at a time; long-term consistent pattern of use, and inter generational transmission of knowledge, and I just have a difficult time with these other communities qualifying under the eight criteria.

CHAIRMAN THOMAS: Well, I was advised by the Solicitor that that eight criteria is suggested criteria; we could use any or all of them, any part of them, or change them, or replace them, or anything. So, that's -- those are just a suggested list of criteria. They're not cut in granite. Further discussion on the amendment? Mim.

MS. ROBINSON: Yeah, I was just -- I should have asked before we just voted on that amendment, but I'm wondering why John wanted to have Hyder in there. It was apparently been established that they do have c&t use there, in Unit 1(A).

CHAIRMAN THOMAS: I don't think so.

MS. MASON: No, it

MS. ROBINSON: Well, that's what it says, what I just read. 'It can be established both that Native Alaskans living in this area traditionally took bears,' et cetera. Am I reading this wrong?

MS. MASON: Yeah, well, that is true, that Natives -- Alaskans in that area did,

MS. ROBINSON: But not necessarily Hyder.

MS. MASON:but -- yeah. But the current residents of Hyder, it has not been determined that --

MS. ROBINSON: Okay. So, that's --

MS. MASON: there's no record of their use.

MS. ROBINSON: okay.

CHAIRMAN THOMAS: Okay. Now, can Native Alaskans, as it's posed here, is people that are born here, regardless of their ethnic background, right? Otherwise, it's turned around to Alaska Natives.

MS. MASON: Yeah, I meant Alaska Natives.

CHAIRMAN THOMAS: Okay. Okay.

MS. ROBINSON: Mr. Chair.

CHAIRMAN THOMAS: Okay. That siren said to cool down. Okay. Herman.

MR. KITKA: In the old days, most important subsistence is brown bear. Prior to 1930, fur buyers used to buy the hides, and all communities went out to hunt the brown bear. All Tlingits did. And the meat is salvaged, smoked, and the fat produced the best cooking oil, which was traded among -- back and forth among the community. And because the Western culture bringing cooking oil among our people, we no longer use it, but if some of the communities wanted to go back and use it, it's even better than any Western-made oil from factories. When the fat is prepared right, it makes the best fried bread that I ever tasted.

1920, I was up in Klukwan with my folks, and they were rebuilding the Whalehouse up there. My dad belongs to that L'uknaxadi (ph), and so we were up there a whole year, and they hired Gus Claney (ph) to get some bears; they wanted some fat for making fried bread for the reception after the building was finished. And the bear they brought down to Klukwan, the fat was that thick (gestures) on the back. And when they rendered it out, they boiled the fat. They boiled it and boiled it until there was nothing left; and when it cooled, they took the fat out, and that's what was used for cooking. And it was done through the whole Southeastern, by all of the Tlingit, so I don't think no Tlingits should be denied the use of brown bear as their subsistence, if they want to do so. That's only from my opinion. CHAIRMAN THOMAS: Okay. There's your record and information you're looking for.

MR. VALE: Mr. Chairman, I -- the only other question that comes to mind for me is, you know, I don't know a lot about Hoonah, but I know they really got around in their neck of the woods there; and to me, it seems likely that they were taking bears in 1(C) up here, and Mary, I don't know if you've had a chance to look at the map, but is that part of Hoonah's territory, there.

MS. RUDOLPH: I know there was a lot of -- I think about a year ago, they -- there was some of regulations coming out where they were going to close some areas, and there was a lot of panic by the people in Hoonah, and a lot of letters went out to Anchorage, opposing the closure of bears. So, I think they move off further than this area, so I would imagine they would go up to 1(C), but I couldn't say for sure, unless I asked the people that did protest. Being on the City Council, we had to draft up a letter and get it up to Anchorage, so that the people that opposed it could be heard at the time, so -- but I couldn't say what areas they were opposing. I just know, at the time, they did address the closure of some areas there.

CHAIRMAN THOMAS: Further discussion.

MS. ROBINSON: Mr. Chair.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Yeah. I'm still stuck on Hyder. The -- I'm getting a mixed message on the papers, on what I'm reading here. On Page 7, talking about bear sealing records, et cetera, and the 35 more years since 1960, et cetera, Hyder has one from Unit 1(A). Then, you look on Page 10, and on that chart, Hyder's got 6.8.

MS. MASON: That's the number of resources -- the total number of resources they harvested. It's like, bear,

MS. ROBINSON: Oh, oh.

MS. MASON: deer. It could include

MS. ROBINSON: Anything.

MS. MASON: bear, or could not.

MS. ROBINSON: Oh, oh, oh, oh.

MS. MASON: This is just an -- this is -- yeah

MS. ROBINSON: I thought we were talking bear, here.

MS. MASON: yeah. This chart

MS. ROBINSON: Okay.

MS. MASON: was simply to illustrate the variety of resources

MS. ROBINSON: I see. That's helpful.

MS. MASON: they harvested.

MS. ROBINSON: Thank you.

MS. MASON: Yeah.

MS. ROBINSON: Okay.

MS. RUDOLPH: Bill.

CHAIRMAN THOMAS: Yeah, Mary.

MS. RUDOLPH: If we say we closed down Gustavus, that means the whole 1(C) area.

MS. ROBINSON: No.

MS. RUDOLPH: So, you're just talking

CHAIRMAN THOMAS: Just communities.

MS. RUDOLPH: specifically about Gustavus.

MS. ROBINSON: It would be the residents of Gustavus.

MR. VALE: Mr. Chairman, I offer another amendment, and that is to include the community of Hoonah in 1(C) there, and I base that on previous discussions with people in Hoonah who have indicated to me that they've utilized that area up there for a variety of resources, and I think that's appropriate to include them in there.

CHAIRMAN THOMAS: Did you hear the amendment. Is there a second.

MS. PHILLIPS: Second.

CHAIRMAN THOMAS: Motion's seconded. Discussion.

MS. WILSON: Question.

CHAIRMAN THOMAS: The question's been called for. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed.

(No opposing responses)

CHAIRMAN: Okay. Now, the amendment remaining, then, includes Hoonah. Further discussion on the amendment.

MS. MASON: Mr. Chairman. This is in regard to the amendment; would you then be giving Hoonah c&t in a certain part -- sub parts of Unit 1, or would it be for all of Unit 1.

MR. VALE: 1(C).

MS. MASON: For just 1(C). Okay.

CHAIRMAN THOMAS: Are you ready for the question.

MR. VALE: Hank's got his hand up back there.

MS. WILSON: I'm confused. Which amendment or motion are we on, anyway.

CHAIRMAN THOMAS: The amendment with -- the amendment now is names that we raised from the second amendment, to -- the amendment that -- to scratch

MS. PHILLIPS: Gustavus and Hyder.

CHAIRMAN THOMAS: Gustavus and Hyder.

MS. PHILLIPS: And add Hoonah to 1(C).

CHAIRMAN THOMAS: And Skagway -- Skagway was put back in, and now Sitka's included for 1(C).

MR. VALE: Hoonah.

MS. ROBINSON: Hoonah.

CHAIRMAN THOMAS: I mean, Hoonah.

MS. ROBINSON: So, we're voting on the amended amendment.

CHAIRMAN THOMAS: No, we're voting on the -- what amendment now, the first amendment.

MS. PHILLIPS: Second.

CHAIRMAN THOMAS: The first amendment now includes Hoonah and Skagway. Further discussion.

MS. WILSON: Question.

CHAIRMAN THOMAS: The question's been called. All those in favor of the amendment say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed, same sign.

(No opposing responses)

CHAIRMAN THOMAS: Okay. We have the main motion before us as amended.

MR. ANDERSON: Mr. Chair.

CHAIRMAN THOMAS: Yeah; go ahead, Hank. Typically, this is Council property.

MR. NEWHOUSE: One thing -- I understand that, and I really appreciate your consideration to let me speak for a moment, and I hope I speak humbly for -- from a very humble standpoint; and I'm really concerned about the community of Saxman. I know that brown bear is very important to the community of Saxman. There are residents of the Cape Fox people who lived for many, many years in Unit 1(A), and I know the brown bear was very important to them. Also, I believe there are probably members of the brown bear clan, the Tongass tribe that reside in the community of Saxman; (indiscernible). I'm really concerned that -- of Saxman being left out at this period in time.

CHAIRMAN THOMAS: That's a good point. Thank you. I thought I saw a place where they were --

MS. MASON: Yeah. Mr. --

CHAIRMAN THOMAS: they were included in another proposal.

MS. ROBINSON: Metlakatla, also.

MS. MASON: Mr. Chairman, I believe I can clarify it. In the -- the proposal does include both Saxman and Metlakatla, as modified.

MR. VALE: That was my understanding.

MS. MASON: Yeah.

CHAIRMAN THOMAS: I mean, this is just as clear as

MS. MASON: Mud.

(Indiscernible - various voices at same time)

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Since Rachel seems to have such a good handle on this, could I have her read how she sees the motion to be. This is a test.

MS. MASON: Okay.

CHAIRMAN THOMAS: That's what you get for impressing us.

MS. MASON: The proposal, as modified, reads -- well, I don't have the details of the language, but it would allow customary and traditional use eligibility for brown bear in Unit 1(A), for rural residents of Unit 1(A), except Hyder; in Unit 1(B), for Wrangell and rural residents of 1(A), except Hyder; in Unit 1(C), for rural residents of that subunit, except Gustavus, as well as Haines, Klukwan, Skagway and Wrangell, and in Unit 1(D), for rural residents of that subunit.

Oh, I did forget one thing, though; Hoonah. And so -- and it would be in Unit 1(C), for rural residents subunit, except Gustavus, but as well as Haines, Klukwan, Skagway, Wrangell and Hoonah.

CHAIRMAN THOMAS: John.

MR. VALE: That was good; thanks. I -- the -- I probably didn't read every word in the preliminary conclusion, but I -- when I said that I wanted to delete Hyder, my -- by doing so, I was including Saxman and Metlakatla in there.

MS. MASON: Yeah, that was my understanding, also.

MR. VALE: Yeah.

CHAIRMAN THOMAS: I'll pass that on.

Okay. Further discussion on the motion.

MR. FELLER: Call for the question.

CHAIRMAN THOMAS: Question was called for, and all those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed.

(No opposing response)

CHAIRMAN THOMAS: The motion is carried. We'll now take a lunch break.

(Off record comments by Mr. Feller about lunch arrangements)

(Off record)

(On record)

CHAIRMAN THOMAS: We'll call the meeting back to order. John.

MR. VALE: Mr. Chairman, after we left, I was thinking about the action we took on the last proposal, and I came to the conclusion that we overlooked an important community with a history of harvesting resources in Unit 1, and that's the community of Petersburg. And so, I felt

MS. PHILLIPS: Oh, yeah. How did we do that.

MR. VALE: it was appropriate that Petersburg be included in Unit 1(B), at the least. And so, I think that it would be good for us to do that. We have a Native community there that's been there for quite a few -- hundreds of years, and we don't have anybody representing that community here, but I know they have a long history of use in that area, and so, if necessary, I would

CHAIRMAN THOMAS: Okay. John mentioned that to me just before we called back to order, and instead of going through the whole parliamentary process to include them, I'm going to ask if there's any objection from members of the Council to us including Petersburg in the language of our earlier motion.

MR. ANDERSON: No objection, Mr. Chairman.

CHAIRMAN THOMAS: Hearing

MS. WILSON: No.

CHAIRMAN THOMAS: no objection, so ordered. John.

MR. VALE: And one other item, too. It was brought to my attention, that the folks in Saxman are probably utilizing that area in 1(B) as well, and I thought you, being from Ketchikan, might have some knowledge to that effect. And if so, we should probably include Saxman in 1(B).

CHAIRMAN THOMAS: Any objection to that.

MR. ANDERSON: No objection, Mr. Chairman.

MS. WILSON: No.

CHAIRMAN THOMAS: Okay. Then, we'll add that, as well.
Oh, I wanted to mention one thing. You mentioned that Petersburg doesn't have anybody representing. We all represent Petersburg.

MR. VALE: That's not what I meant. I meant there's no one from Petersburg here to address their interests, other

CHAIRMAN THOMAS: That is, too --

MR. VALE: than all of us combined.

CHAIRMAN THOMAS: that is, too, what you meant.

MS. MASON: Point of clarification. Where would Petersburg have c&t, then. In what subunits.

MR. VALE: 1(B).

MS. MASON: Just in 1(B). Okay. And Saxman would be in

MR. VALE: 1(A) and 1(B).

MS. MASON: Okay.

CHAIRMAN THOMAS: So, that disposes of Proposal Number 2, bringing us to Proposal Number 3. Want to introduce Number 3.

MS. MASON: Oh, excuse me. Proposal 3. I think we have covered, now, the most difficult proposal to get through, and the most confusing one, and they will get simpler from now on. Proposal 3, is -- was -- requested a positive customary and traditional use determination for brown bear in Unit 6(A), for residents of Unit 5. Again, brown bear has traditionally been a very important resource for Southeast Alaska, including the Yakutat Tlingits who lived in what is now Unit 5. It -- the meat, the fat and the organs were eaten, and other parts were used to make clothing and tools. The bear also had important ceremonial meaning, and the bear hide, teeth and claws were used for ceremonial regalia. I should emphasize despite the symbolic importance, it's unclear whether the meat was ever an important part -- a major part of the diet. It's -- but its symbolic importance would seem to warrant its inclusion as a subsistence species. And again, brown bear hunting for subsistence has declined in recent years throughout Southeast Alaska, including in Yakutat.

There's -- modest harvests have been shown in the past by Division of Subsistence surveys. For example, in 1984, there was a household survey that showed that eight percent of a sample of 50 Yakutat households had used brown bear. In other words, four of the hou- -- the 50 that they sampled had used brown bear. Ten percent had attempted to harvest it, two percent had harvested it, and four percent had given it away; eight percent had received it. In a similar harvest study that was conducted in 1987, no brown bears were reported harvested by Yakutat Households.

As I mentioned before, for the last proposal, among the Tlingits, it was customary for a clan or -- a local group to control harvesting in a particular area, and other groups could hunt, fish or gather there with permission from the responsible group. The -- there were areas in what is now Unit 6(A), which were traditional harvesting areas for bear, for Tlingits who lived in Yakutat. And John Vale Xeroxed some maps. The one that I'd like to direct your attention to is on Page 102, and this was from the technical report, written by Firman and Mills. The -- this is -- among the areas that were used were along the Kaliakh River. This was a traditional bear area, just below the Bering Glacier, if you've found this map. The conclusion from the analysis was to adopt the proposal on the basis of the symbolic and practical importance of bear, the fact that residents of Unit 5 have traditionally harvested bear in a portion of Unit 6(A), and even though there's an uneven record of recent use of bear. The customary and traditional determination would be based upon the evidence of ethnographic and historical evidence of former use.

Thank you.

CHAIRMAN THOMAS: With regards to the meat in question, as to whether the meat was used, when they were making regalia, it's a safe assumption to consider that the meat was, in fact, used, because typically, they would not harvest an animal if not -- they'd never harvest an animal to which the meat

MS. MASON: Yes.

CHAIRMAN THOMAS: If the meat's not usable, they usually don't harvest them.

MS. MASON: Yes, I may have stated it rather unclearly. I did not mean to imply that they didn't use the meat when they used it for symbolic regalia.

CHAIRMAN THOMAS: Well, you did.

MS. MASON: Yeah. Okay.

CHAIRMAN THOMAS: Motion.

MR. VALE: Move to adopt.

CHAIRMAN THOMAS: Is there a second.

MS. RUDOLPH: Seconded.

CHAIRMAN THOMAS: Moved and second. Discussion. John.

MR. VALE: On discussion, for your information, the bear meat was used, and -- not as much today as in the past, but the primary type of bear harvest that I'm aware of were early in the spring, when the bears were just emerging from the

den and the primary type of bear that was taken was a younger bear, usually two years older or less, and they were better eating, and so that's why they targeted those types of bears. And occasionally, they did even go in the dens and take them. So, that, really, it was -- the primary purpose was for -- to obtain meat.

MS. MASON: Um-hum.

MR. VALE: However, that use has dropped off significantly in, you know, recent years, and so -- but nonetheless, it was a customary and traditional use. And in particular, in Unit 6(A) there, the area from Icy Bay to just west of Cape Suckling, which is pretty much this whole unit of 6(A), belonged to the Kaagwaantann clan, Eagle Clan, in Yakutat, and they had a village in the Kaliakh River, and bears was (sic) one of the primary resources that they harvested. And also, there was a trading that occurred of bear hides taken in that area with the other clans in Yakutat, and also with some of the groups further east, like the Eyaks. Also, there -- some of the Kaagwaantann clan to reside in the Cordova area, as well.

And the only other thing I would mention on this is that this area that they historically took bears at is all State land, and so the State has jurisdiction there, so I don't know how much meaning that this action will have. But nonetheless, it has my full support, because it was a historical use, and a custom and tradition exists there, for taking them. So, we'll just -- that's all I have to say about it.

CHAIRMAN THOMAS: Okay. Getting back to what John said about not it's not used so much for consumption anymore, by the same token, you don't find regalia made -- if they kill a bear for regalia, the meat is used, but they usually don't kill for regalia. They usually the meat for -- kill the bear for the meat, and whatever's left they do -- will use for regalia. But if they're used for rugs and mounts and that kind of stuff, then we're talking a different use.

MS. MASON: I see.

CHAIRMAN THOMAS: Robert.

MR. WILLIS: If I might interject something here. John, it seems to me there was some discussion recently about whether or not to say 'Unit 5,' or 'residents of Yakutat,' in this proposal because there's a logging camp in Unit 5, and there was some discussion about whether they should have c&t for brown bear.

MR. VALE: Well, yeah, I'm glad you mentioned that, Robert. It's also my intention to amend the proposal to read 'residents of Unit -- 'residents of Yakutat,' as opposed to 'residents of Unit 5'. And the reason for that is, up until the last year, there were no residents residing in Unit 5(B), which is Icy Bay to Yakutat Bay. And the Chugach Alaska Regional Corporation from Prince William Sound has some land holdings in 5(B) there, on the western side, and they've established a logging camp in the last year which is made up of, for the most part, residents from California and Washington and Oregon. And I'm particularly concerned about including all of Unit 5 in there, because once these residents have been there a year, they would be resident- -- once these people have been there a year, they would be residents, and there's no customs and traditions associated with them living there and using these resources, and I feel it's inappropriate to bring them in on a c&t determination. And so, with that having been said, I would move to amend the proposal to read 'residents of Yakutat,' instead of 'Unit 5.'

CHAIRMAN THOMAS: You heard the amendment. Is there a second.

MS. RUDOLPH: I second that.

CHAIRMAN THOMAS: Moved and second. Further discussion.

MR. ANDERSON: Call for the question.

CHAIRMAN THOMAS: Question's been called. All in favor of the amendment say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Okay. Discussion continues on the main motion as amended. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed, same sign.

(No opposing responses)

CHAIRMAN THOMAS: That motion carries as amended.

MS. MASON: I'll continue with Proposal 4.

CHAIRMAN THOMAS: Four, if you would, please.

MS. MASON: This one requests a positive customary and traditional use determination for deer in Unit 4, for residents of Unit 5. And the effect of this proposal is to add residents of Unit 5; and based on the amendment to the last proposal, this might be better stated as 'Yakutat residents,' to a positive and customary and traditional use determination that already for -- in Unit 4, for residents of Unit 4, and for Kake, Gustavus, Haines, Petersburg, Point Baker, Klukwan, Point Protection and Wrangell. So, there's already a number of non-residents of Unit 4 who have c&t to hunt deer in Unit 4, and this would add Yakutat to that list.

I'll just state the bare bones of this of this one. Deer, in Unit 4, have historically been very, very abundant, very easy to harvest, and they are today, also. Deer are not indigenous to the Yakutat area; they were introduced in 1934; but before the introduction of deer, Yakutat residents were familiar with deer through trade, and from their travel to other areas. And one example is that, like other Tlingits, Yakutat Tlingits use a word for a peace ambassador that meant deer, and -- because of the animal's association with meekness. So, they had traded, even though it wasn't available for it. But with the advent of deer in the Yakutat area, Yakutat residents did begin hunting it. Deer hunting was closed in Yakutat between 1980 and 1989, due to the low population; and during that time, they -- some Yakutat residents did travel to Unit 4 to hunt deer.

And in the same technical paper that I quoted for the last proposal, there is a report that in 1984, six percent of Yakutat households reported hunting deer, and 22 percent reported using the resource. My conclusion was to adopt the proposal on grounds that deer has long been an important resource to residents of Yakutat, and in the past when no deer was available, Yakutat residents

obtained deer by trade, or went to other units to hunt deer. So, the conclusion was that the community should be included among those having customary and traditional determination for deer in Unit 4.

CHAIRMAN THOMAS: So, it's suggested, then, to scratch the numeral '5' and replace that with 'Yakutat'.

MS. MASON: Yes.

CHAIRMAN THOMAS: So, that would be essentially the same language as the previous motion, for the same reason.

MR. VALE: Do you want a motion on that.

CHAIRMAN THOMAS: Please.

MR. VALE: First, I'll move to adopt the

MR. WILLIS: Excuse me, Mr. Chair.

CHAIRMAN THOMAS: Robert.

MR. WILLIS: Sorry to interrupt, here, but something that we haven't started doing is to present the public comment that we had through letters and phone calls -- through letters and phone calls on each of these proposals.

CHAIRMAN THOMAS: Oh, right, right.

MR. WILLIS: That's supposed to be inserted somewhere --

CHAIRMAN THOMAS: Do we have them.

MR. WILLIS: somewhere along in here, so, I'll --

CHAIRMAN THOMAS: Okay.

MR. WILLIS: maybe you should let Fred do the

CHAIRMAN THOMAS: Thank you. Thank you.

MR. CLARK: Thank you, Mr. Chairman. I'd like to point out to the Council, also, that in their packets, they have a -- several sheets with public com- -- the summary of public comments, there. So, you can follow along in there. I think Joe has a copy of that. The summary of proposal comments for Proposal 4 are extremely long. There's one. And it states: "I would like to express my opposition to this proposal," from Ben Mitchell in Sitka.

CHAIRMAN THOMAS: Okay. Consider it done. Mim.

MS. ROBINSON: Also, the Port Alexander Fish and Game Advisory Committee -- our -- apparently, our minutes that were sent in didn't make it in time. Would they have gone under this,

MR. CLARK: Yes.

MS. ROBINSON: if they'd gotten there in time. Okay. Well, they were in favor of Proposal 4.

MR. CLARK: And, Mr. Chairman, I might add that we have some information from the Yakutat Fish and Game Advisory Committee. It was not -- the committee met but they did not have a quorum, so their recommendations, I think, are not the -- are not the actual recommendations of the advisory committee, but just as a standard public meeting. And for Unit -- for Proposal 4, they -- my information is that they did not support the proposal, and John Vale may have some additional information on that.

CHAIRMAN THOMAS: Is that all the information you have, that they didn't support it.

MR. CLARK: Yes.

MR. VALE: I'll elaborate on that when we get the

CHAIRMAN THOMAS: Okay. Were -- has not a motion been made. Was there a second.

MR. VALE: Motion to adopt.

CHAIRMAN THOMAS: Okay. A motion's made.

MS. ROBINSON: Second.

CHAIRMAN THOMAS: Second. Discussion. John.

MR. VALE: Okay. The -- we did have a public meeting where we took up all these proposals that affected Yakutat, and we brought -- discussed this when there was consensus amongst those present in the room that while there are Yakutat residents who have participated in the hunt in Unit 4, the feeling was that there are no customs and traditions associated with hunting in Unit 4; that the customs and traditions for our area are primarily in Unit 5 and 6(A), and that's based on the clan territories for the clans in Yakutat, which -- into Cape Fairweather. And while there was a significant amount of trading that occurred with Sitka, Angoon and other communities for deer from Unit 4, they didn't feel that constituted customs and traditions. And so, we don't support this proposal.

CHAIRMAN THOMAS: Would you support it if Yakutat wasn't included.

MR. VALE: Yes.

CHAIRMAN THOMAS: Okay. Let me give you some back up, to the best of my knowledge. The reason that Yakutat -- that district -- Unit 5 was included was to make sure, in the event, because you weren't at the last meeting, that we wouldn't be overlooking inadvertently. So, it was done in good faith, with that, to try and offer an optimum inclusion in these discussions. So, amendment is in order, then, to strike Unit 5.

MR. VALE: So moved.

CHAIRMAN THOMAS: You heard the motion to strike Unit 5. Is there a second.

MR. FELLER: Second.

CHAIRMAN THOMAS: Moved and second. Further discussion.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: I would support keeping Yakutat in the motion. In Pelican, we get a number of Yakutat Natives coming down and harvesting deer off Chichagof, and for their benefit, I would support Yakutat being in -- being able to hunt deer in Unit 4.

CHAIRMAN THOMAS: Oh, boy, you guys ended my no brainer proposals. Okay. We have discussion, pro and con. Mim.

MS. ROBINSON: Oh, I guess Rachel's got something, too. Just real quick, if we don't use -- do -- put Unit 5 in there, then we should -- okay, then it would just revert back to the existing regulations. Is

CHAIRMAN THOMAS: Yes.

MS. ROBINSON: that what you're trying to say.

CHAIRMAN THOMAS: Yes.

MS. MASON: That's what -- yeah.

MS. ROBINSON: So, all we would need to do is just not adopt this proposal; rather than deleting Unit 5, we just need to vote on this particular proposed regulation as it's written, not delete anything.

CHAIRMAN THOMAS: Okay. Then, the way to do that, is to -- where are we at. Are we on an amendment, now.

MS. ROBINSON: Well, the -- it was amended

CHAIRMAN THOMAS: To remove Yakutat.

MS. ROBINSON: to remove it. So, that doesn't really need to happen, though.

CHAIRMAN THOMAS: Okay. Then -- the safest thing to do, then, is to vote down the motion, and then to move to take no action.

MS. WILSON: I'd like to know where Unit 4 is. Oh, right here.

(Indiscernible -- various voices)

MS. WILSON: You mean, Yakutat people never come down to hunt down there. Is that what you're saying.

MR. VALE: Occasionally, people have participated in the hunt down there, but they didn't feel that we had the customs and traditions. Basically, they felt that their customs and traditions were associated with the clan territories, which don't go into Unit 4. And traditionally, if a Native entity, in the past, would have come to, say, Yakutat, for example, they would have asked permission

from the local clan to hunt in their territory; and then after having gotten that permission, they would then take the resources. And the same is true for Yakutat people going down there. Traditionally, they would ask permission from clans who had that territory down there, and then, you know, use the resource. Now, that's not what happens today, but when -- we're if we're basing this on what's customary and traditional, the feeling was -- and we had a consensus on that of those present at our meeting, that, you know, we don't qualify for Unit 4.

MS. RUDOLPH: Bill.

CHAIRMAN THOMAS: Were there subsistence users at your meeting.

MR. VALE: Yes.

CHAIRMAN THOMAS: Yeah, Mary.

MS. RUDOLPH: I was wondering, because about three years ago, that kind of question came up about Yakutat coming closer down and we had a large meeting at the city offices, a big teleconference with Yakutat people there and they decided not to move down, and we didn't go

MR. VALE: Yeah, Cape Fairweather.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: Mr. Chair, when the City of Yakutat wanted to increase their boundaries to borough boundaries, their original borough boundary line was to come down to Cape Spencer, which is in Cross Sound, which is -- Chichagof Island is on the other side of Cross Sound. And in our modern way, those Natives asked for permission to come down and hunt in our -- in -- Chichagof. They call up the Native family in Pelican and say, I would like to come down and get some deer; may I stay with you, and -- or -- and so, they don't just come down and stay in their own boat or camp out; they come into another Native family, and get their deer. John's saying that occasionally they would ask for use from another Kwaan or another clan, that, to me, is c&t. Occasional. Whether it's occasional or frequent or lots. That, right there, is c&t, to me.

MS. WILSON: That's what I think, too.

CHAIRMAN THOMAS: Okay. I'm going to give you guys a chance to express your thoughts with a vote. A vote to adopt would delete Yakutat; a vote not to adopt would leave it alone. Is that correct. (Indiscernible)

MS. ROBINSON: That's the amendment.

MS. WILSON: The amendment.

MS. PHILLIPS: Okay, wait.

CHAIRMAN THOMAS: Another amendment to the amendment.

MS. ROBINSON: Could --

CHAIRMAN THOMAS: The amendment was already voted on, I thought.

MS. ROBINSON: could.

CHAIRMAN THOMAS: What does the minutes say. Did we vote on the amendment.

MS. ROBINSON: No, we didn't. We ought to withdraw the amendment, because it's not -- we should withdraw the amendment and then just vote on this proposal, yes or no and that would take care of the issue. There's no point in amending this proposal as proposed; it doesn't make any sense, so it should just be withdrawn, that amendment.

MS. WILSON: I don't think so. We should vote on it.

MS. ROBINSON: It's -- you'll -- when you vote on the original proposal, you'll be voting on whether or not Yakutat should be included or not. Once you -- if you do an amendment, this proposed amendment, then you're just -- you're taking Unit 5, or Yakutat, out of this proposal. Well, once you do that, you're back to what's in the books already.

CHAIRMAN THOMAS: Could we --

MS. ROBINSON: It's not

CHAIRMAN THOMAS: I need to find out from our writers if we have a motion that's in shape to be read back.

MR. CLARK: It's not in the shape to be read back.

CHAIRMAN THOMAS: Okay, okay.

MR. CLARK: It's too hard to follow.

MS. PHILLIPS: I couldn't follow it either.

MS. ROBINSON: Why don't we just

MR. CLARK: So if there no motion on the

MS. LeCORNU: There was a motion to accept, but

MR. VALE: There was a motion

CHAIRMAN THOMAS: Let's -- let

MS. WILSON: There was a motion to accept, Mr. Chairman, and then there was an amendment

CHAIRMAN THOMAS: Right.

MS. WILSON: to withdraw Yakutat. And that's what I thought we were voting on, the amendment.

CHAIRMAN THOMAS: You guys are in real trouble now, because I can't remember. Did we do anything with the amendment. We never voted on the amendment.

MS. ROBINSON: No.

MR. VALE: I'd like to withdraw my amendment, Mr. Chair. That would revert back to the original proposal, then.

CHAIRMAN THOMAS: Who seconded the amendment. Is that okay with you.

MR. VALE: John.

MR. FELLER: Yeah, it's okay with me, Mr. Chairman.

CHAIRMAN THOMAS: Okay. The amendment that was seconded, withdrawn. So we're back to the

(Indiscernible - various voices)

MR. VALE: The original proposal.

CHAIRMAN THOMAS: We're back to the original proposal to include the Roman numeral V -- or the numeral 5. Further discussion on the motion.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN THOMAS: Yeah.

MS. PHILLIPS: Move to amend, from '5' to 'residents of Yakutat.'

MS. ROBINSON: Second.

CHAIRMAN THOMAS: It's moved and seconded, to amend -- to read 'Yakutat.' Any discussion.

MR. VALE: Question.

CHAIRMAN THOMAS: The question's been called for. All those in favor of the amendment say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed, same sign.

(No opposing responses)

CHAIRMAN THOMAS: Okay. The language now reads, 'Yakutat and residents of Kake, Gustavus, Haines, Petersburg,' and so forth. Further discussion on the -- okay, now we need to -- the main motion as amended. Further discussion.

MS. WILSON: Question.

CHAIRMAN THOMAS: The question's been called. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed, same sign.

(No opposing responses)

CHAIRMAN THOMAS: Proposal 4 has been adopted.

MR. VALE: Ah, wait. I -- I misunderstood, I guess.

MS. ROBINSON: I was wondering why you didn't say anything.

MR. VALE: Yeah. Could we have that over again, then.

CHAIRMAN THOMAS: Have what over again. I don't even know what we did.

MR. VALE: The vote.

CHAIRMAN THOMAS: Oh, okay. All those in favor say aye.

ALL BUT MR. VALE: Aye.

CHAIRMAN THOMAS: Those opposed.

MR. VALE: Aye.

CHAIRMAN THOMAS: Okay. John. The motion still carries, with a dissenter. Proposal Number 5, please.

MR. WILLIS: Proposal 5 was submitted by the Yakutat Tlingit tribe, and would allow residents of Unit 5(A) to take up to 10 deer for regulatory year for ceremonial potlatches and other ceremonial uses. Deer are -- have been around Unit 5 since about the turn of the century, but never in any great numbers. They were introduced in most of that area from other places. The first season was held in about 1925, and it was more or less -- the area was lumped in with the surrounding units at that time. They had seasons pretty regularly up until about 1980, and some severe winters back in the late '70s resulted in the season being closed in 1980, and it wasn't reopened until 1991. Since that time, it's been a one month season, the month of November, and a one buck limit.

Currently, there's also a procedure in place which allows the ceremonial taking of deer by getting a special permit from the Land -- the Federal land manager, which in this case, is the U.S. Forest Service. And one such permit for a single deer was issued; this says 1994. I'm not sure if that's correct, or if it was in '95. We don't have any good population estimates of deer in the Yakutat area, except to know that the population is very low. That is not really good deer habitat; the weather's pretty severe. And what I'm told by local people, is that predators are increasing; the number of wolves and coyotes have been increasing, and the deer population is being depressed because of those factors.

There may also be some significant poaching going on. There is some pellet count data which gives us an idea of the trend in the population; not an actual number of deer, but whether it's going up or down, or remaining relatively stable. And that data indicates the population is in decline. The only harvest data that we have available comes from the deer hunter questionnaire survey which ADF&G sends out every year, and according to that survey, there are very few deer taken there by a relatively few hunters, from two to five deer per year over the last several years. I've been told secondhand -- I think this information comes from John, that there were 15 deer taken last year or the year before, but that's something we'll have to kick around later, I guess, because I don't have any documentation of that from the harvest survey. We're in a situation here where we've got a marginal area for deer to live in to begin with, and in most situations, removing 10 deer from a population would not be a big deal. In this case, however, the fact that you have a low population which is apparently in decline, a very low harvest, nearing the -- less than 10 deer harvest during the regular season, and the fact that this proposal would also

allow shooting does as well as bucks, all those factors combine to put you in a situation where you're getting in biological jeopardy with this type of proposal, especially when you start talking about harvesting does.

In any deer population, you'll find more does than bucks because the does live longer than the bucks; the bucks have to go through the stress of the rut when they don't feed, and as a result, they don't live as long, and you always have more does in the population. What that does, when you're hunting in a low population area and you can shoot either sex, is you're not going to see very many deer to start with, and so you're most likely to take the deer that you see first. That's most likely to be a doe. Another factor operating, is that after the rut, does are in much better condition than the bucks. The bucks have run all the fat off of them after about the middle of November, and the does are much better eating and are preferred for harvest anytime from mid-November on into the end of the season, or until the spring green up when the bucks start to put some fat on again. So, all these things combine to put us in a situation where harvesting even 10 deer, especially if you're harvesting mostly does, would not be biologically acceptable. And that, plus the fact that we already have in place a system for allowing -- for taking deer for ceremonial purposes on an individual basis, for those reasons, we feel that this proposal should not be accepted.

CHAIRMAN THOMAS: Okay.

MS. WILSON: Mr. Chair, I have a question. How many deer, on an individual basis. And is that through the State, or through the Federal.

MR. WILLIS: It's Federal, Marilyn. The U.S. Forest Service can issue those permits, and it's a situation where an individual can come in and request a permit to harvest a deer. I suppose you could request to harvest more than one deer, but it's for a single ceremonial purpose, one event, rather than having a quota set, where you can -- you know that you can take up to a certain number of deer per year. You have to come in and apply for -- individually for a permit, to take one for that particular purpose.

CHAIRMAN THOMAS: I think that's what the request implied, anyway. John.

MR. VALE: I don't think anybody in Yakutat was aware that there was a program in place where you could obtain a permit from the Forest Service for deer, for potlatches. There was one permit issued this last summer, '95; that individual applied to the Federal Subsistence Board and the Chair authorized the taking of that one deer. We weren't aware of any program that could be -- this could handle -- be handled with under the Forest Service.

MR. WILLIS: You're correct in that point, John.

That did come through the Federal Subsistence Board; the Forest Service issued the permit. I guess calling it a 'program' maybe was a little bit too strong. There is 'opportunity', I guess I should say, to do that. You know, obviously, it was done once; it could be done again, but I stand corrected on calling it a 'program in place.' Our comments that we're opposed to for biological reasons still stand, but I'm glad you brought that out. Thank you. Fred, do we have any public comment.

MR. CLARK: There were three public comments, all in opposition to the proposal. The first one's from the Alaska Department of Fish and Game. They're not long; I'll just read them. From -- again, from the Alaska Department of Fish and Game: "Oppose. Deer were not available to ceremonies and potlatches prior to their introduction in 1934. The population has never been numerous, and is at

extremely low densities. The illegal harvest is believed to exceed the legal take. Since 1991, the reported harvest has not exceeded five deer, suggesting a low availability. The Board of Game is considering a proposal to provide for ceremonial use of game. The State requests that the Board defer action until the Board of Game has made a decision."

The second one is from Ben Mitchell of Sitka He says, "I would like to express my opposition to this proposal. It is an outrage to condone the taking of does in the spring and early summer when they are rearing the young. Consideration of modern methods of meat preservation should be considered for preserving meat taken during the existing and amply long season, for ceremonial uses during February through July."

The third one is from Joe Sonnenman in Juneau. He says, "it's an important question whether deer is specifically required at a 40 day party it an open question." That concludes the public comment.

CHAIRMAN THOMAS: Rob.

MR. SCHROEDER: Yeah, I don't know if this is the time to let you know what's going in the (indiscernible away from microphone)

CHAIRMAN THOMAS: Okay.

MR. SCHROEDER: Mr. Chairman, the State will be taking up -- the State Board of Game will be taking up a proposal dealing, generically, with ceremonial use of big game, and it's going to be doing this at its spring meeting. The impetus for this is some recent action concerning the Native American Religious Freedom Act, which appears to say that deer that are used for religious purposes must be provided for. The specific proposal is Proposal 115, and I'd like, with the Chair's permission, to read some of the provisions in there, because they might cover a lot of what we're talking about in -- in this case. This proposal is titled, 'Taking of Big Game for Religious Ceremonies,' the taking and use of big game for food in traditional Native Alaskan religious ceremonies, which is part of funerary or mortuary cycle, including memorial potlatches, and other -- other than for the immediate needs of an unplanned funeral potlatch, which is covered by a different regulation, is authorized. Animals may be taken outside the seasons and bag limits described in the regulations that covers seasons and bag limits, provided that 1. the person organizing the religious ceremony, or designee, contacts the nearest office of ADF&G or Public Safety, prior to the taking or attempting to take game, and provides to the state the name of the deceased, the nature of the ceremony, the species to be taken, the game management unit where this would occur.

Point 2. that the taking doesn't conflict with constitutional mandate for sustained yield. 3. that the person who takes the creature will report it 15 days after the harvest, and 4. no permit or harvest ticket is required for taking game for religious ceremonies. However, non residents may not participate in taking or attempting to take game for religious ceremonies. Mr. Chairman, the Board of Game hasn't acted on this. This was the Department's effort to come up with a draft proposal that would meet both requirements of the Native American Religious Freedom Act and to cover most of the situations where there is religious use of big game in rural Alaska -- excuse me, use of big game in traditional Alaska Native religious ceremonies. And this is keyed to a specific type of ceremony, namely the funerary or mortuary cycles, and we were able to include memorial potlatches to cover Tlingit potlatches in Southeast

Alaska. So, I wanted to make you aware that that proposal is coming up, because it may influence your decisions here; and also, if you see fit to provide comments to the Board of Game, that might be useful as well. And the State would request you to defer action on the ceremonial proposal that's on -- on the table right now, in hopes that there would be a generic solution to the question of how you provide for ceremonial uses.

CHAIRMAN THOMAS: Thank you. I would have some difficulty with some of that, but let me point out in the ADF&Gs comments when they said 'deer was not available for ceremonies at potlatches prior to their introduction in 1934.' That's not true. Just because there wasn't any deer in the area doesn't mean they didn't use the deer. That's what we just got through talking about, the accessibility to other units. And -- and the -- the populations in this area have been very transient, and if they needed a deer, message got across, did they have any deer. It just made it more -- more convenient to have -- have them introduced in their own area. It's also -- so, I -- I disagree with the first sentence of the State Department of -- language in their opposition. The rest of it is true; population has never been numerous. They still aren't. So, I think we've got to be careful of those, and I guess I'm not overly-confident that the Board will take any action to satisfy the proposal the way it's written, so I think we need to exercise some responsibility here. Marilyn, do you have questions.

MS. WILSON: I forgot what I was going to say.

CHAIRMAN THOMAS: John.

MR. VALE: Just a -- I want to respond a little bit to the staff analysis there, in that -- I think it was a good analysis, and a fair analysis and description of what was going on there, and -- and in fact, the deer population is at low levels and perhaps declining, although there isn't adequate information to know for sure, and we need to generate more information to better understand what the health of the population is. When we discussed this meeting -- this proposal in Yakutat, I think those -- there was a general consensus there that, you know, deer for potlatches was perhaps more important than having a deer season which occurs in the month of November. And you know, if it had to be either/or they'd rather see the season closed during the month of November and that harvest eliminated, in order to have animals available for potlatches. There was also some thought put forward that, you know, deer have been made available to potlatches in the past, and all that this regulation would do was simply get more accurate reporting of deer harvests, you know, and -- meaning that those harvests were not reported, they were what occurred;

MS. WILSON: Um-hum.

MR. VALE: poaching, for example, if you want to call it that. And there is some poaching that goes on, I think, that perhaps is threatening the viability of the deer there, as well. And I -- what I will do here, in an effort to -- I'd like to see this proposal deferred until we can get better information on the deer population and we've had some assurances from the Forest Service that they would put some additional effort out, working cooperatively with the local tribe to gather better information on how the deer are doing. And also, since there is an opportunity, still, to obtain these deer through the Federal Subsistence Board on an individual basis, with no limit there -- my guess is there would be less than five deer actually wanted in any given year. So, based on all that, I would move that we defer action on this proposal till next year.

MS. ROBINSON: Second.

CHAIRMAN THOMAS: You heard the motion and seconded it. Okay. Other discussion. I guess I'm not clear on what we hope to accomplish by deferring. Can somebody help me with that. Patty.

MS. PHILLIPS: I'm going to vote against the motion, because the Council has stated in our past minutes, and Ms. LeCornu brought this up, is the Council's responsibility is for making subsistence opportunities rather than restricting subsistence use, and so we are -- we're enabling an opportunity that -- and it's from the Yakutat Tlingit tribe. And if I were to pass this motion, I would feel like we're making a decision that's a co-management decision, because it came from the Yakutat Indian tribe.

CHAIRMAN THOMAS: Further discussion. Gabe.

MR. GEORGE: Yeah, I think, you know, that there's a couple of things happening here; one is subsistence, in terms of individuals and families and all, but I think what is in the discussion here is ceremonial, and just what was explained, and I think those are two different, distinct methods of harvesting a resource, or reason for harvesting resources. Now, they may be the same for some people, but they're -- there's some distinction between a open season and a harvest for a potlatch, or a funeral, or a path (ph) party and all, and I believe that. Now, how to address it, I don't know.

CHAIRMAN THOMAS: So, are you speaking for or against the motion. Are you speaking for or against the motion.

MR. GEORGE: That's what I'm saying; I don't know how to address that. You know, if I said I'm speaking for the motion to accept the 10 deer and all,

CHAIRMAN THOMAS: The motion right now is to defer. So, any discussion --

MR. GEORGE: Well, I --

CHAIRMAN THOMAS: any discussion away from that's out of order.

MR. GEORGE: I -- okay. Well, I -- I disagree in this case, because, you know, we're talking about -- we're supposed to be talking about subsistence. Now, subsistence is part of, you know, the ceremonial taking of the resource. Now, how do you address that, in terms of open season for everyone, or a specific harvest for a -- a specific purpose. And I still don't know whether I'm for or against that.

CHAIRMAN THOMAS: John.

MR. VALE: What we would gain by deferring action as opposed to voting it up or down is that we would still be able to address this proposal, but we could gain some additional information between now and next year about the health of -- of the population, which we've had assurances that the Forest Service will put some effort in that regard. And also, the -- there still is opportunity to obtain deer for potlatches if this proposal doesn't go forward. So, I personally want to see a proposal of this come into -- into being; however, you know, we have to look at, also, the three reasons why a Regional Council recommendation can be denied, and one of them would be is to jeopardize the health of the resource. And you know, you can make that case; I don't know if I agree with that, but you

could make that case in this circumstance. So, I would just hope that if we wait a year to address this, we will get better information, and then, you know, perhaps we could -- we could look at it then.

CHAIRMAN THOMAS: Well, me tell you -- let me tell you guys, truthfully, what my reaction is now. We some members on the Board here that have served on the State program, with their mind set, their philosophies, and I'm trying like hell to welcome you guys into the Federal management scheme. Now, we're not having very good luck at doing this. And that -- that's one thing I really have an objection to. So, my druthers would lead me to not support the motion, either. Mim.

MS. ROBINSON: Well, I was just thinking about the proposal that Bob read to us.

COURT REPORTER (.): Mike.

MS. ROBINSON: Oh, sorry. I was looking at the proposal that Bob read to us, and was thinking about the generic approach, and one of the things that it deals with in here is, 'the taking does not conflict with the constitutional mandate for sustained yield.' That statement is missing from the proposed regulation that we're looking at. If that was added to this proposal, it would make it more palatable, because then it would -- what I'm looking at is to go ahead and adopt this proposal, but make it so that when a -- a decision comes to issue a permit, that the -- whoever does that issuing has to decide at that time whether this -- this deer population can handle it or not. So, does that -- any comments on that.

CHAIRMAN THOMAS: It -- it could be, but right now we're dealing with a motion to defer.

MR. VALE: Oh. I'll restrain myself then.

CHAIRMAN THOMAS: Further discussion on motion to defer.

MR. KITKA: Read the motion again, to defer.

CHAIRMAN THOMAS: The motion was to defer to -- to -- till after the State Board has a chance to meet, and then come back to us. Hopefully, they'll bring us more information.

MR. KITKA: I don't think deferring the thing would solve the problem.

MS. ROBINSON: Mike.

MR. KITKA: Nineteen twenty-eight and ni- -- the Yakutat Indians and the Eyak, they -- they wanted deer transplanted into Yakutat and into Prince William Sound for ceremonial purposes. And Sitka is being asked (ph) the U.S. Fish and Wildlife and my family got involved in capturing those animals when they were swimming. They were transported to those areas. Now, we're -- for the purposes -- the communities wanted for ceremonial purposes, now we're going to defer it and deny them.

CHAIRMAN THOMAS: Further discussion.

MR. VALE: Just for clarity, my in- -- I hadn't considered the State, so request to defer action, that wasn't my main reason for the motion, and I -- you know, it was really to get better information to, you know, help us determine, you

know, if this -- if we can sustain some additional harvest. So, that wasn't a consideration, really, for me, with the State.

CHAIRMAN THOMAS: Further discussion, Gabe.

MR. GEORGE: Yeah. I guess, in answer to your question, whether I'm for the motion to defer. No, I'm against the motion to defer. Am I for this motion. No. I think that we can direct staff to come up with something that would fulfill all their legal requirements and move forward with this, and maybe they can -- someone can take a -- a few minutes and -- and draft something, like -- similar to the State, or similar to what the Board of -- the Subsistence Board has already addressed. But no, I don't wish to postpone this or not deal with it. I think we should deal with it, but we should deal with it under the -- under the guidelines of ceremonial/individuals. Thank you.

CHAIRMAN THOMAS: Further discussion.

MS. ROBINSON: Well, I'm the one that seconded the motion (sic), so I guess I have to vote in favor of it. But I -- I'm hoping that -- that motion fails, 'cause I would like to add some things to the wording of this, to help make it work out for them.

CHAIRMAN THOMAS: Just to remind you of parliamentary procedure, on many cases I've made motions and voted against them.

MS. ROBINSON: I thought you weren't supposed to do that, or something.

CHAIRMAN THOMAS: No, you can.

MS. ROBINSON: Okay. So, I can vote against it.

CHAIRMAN THOMAS: Yeah.

MS. ROBINSON: Okay.

MS. WILSON: It's just to bring it on the floor.

MR. VALE: Call -- call for the question.

CHAIRMAN THOMAS: The question's been called for. All those in favor of deferring action say aye.

(No affirmative response)

CHAIRMAN THOMAS: All opposed no.

IN UNISON: No.

CHAIRMAN THOMAS: The motion fails. What's the wish of the Council.

MR. VALE: I have a motion,

CHAIRMAN THOMAS: John.

MR. VALE: here. I move to amend the proposal to -- from 10 deer to five.

CHAIRMAN THOMAS: You've heard the motion to amend from 10 to five. Is there a second.

MR. FELLER: Second.

CHAIRMAN THOMAS: Moved and seconded. Discussion on that amendment.

MR. VALE: On discussion, I -- I think that five is adequate -- adequate to meet the needs. The '10' figure -- and I was one of the ones who drafted the proposal with the tribe, and the '10' figure was really taken just from the moose ceremonial proposal; it was more or less pulled out of thin air, and -- and I think that five will provide an adequate number of animals to meet the needs. On the average, there's around probably five potlatches that this would be necessary to obtain for, so that would be my motion, and that's also to reduce the risk of any impact to the population there.

CHAIRMAN THOMAS: Further discussion on the amendment to change to five. Chairman entertains to call for the question.

MR. VALE: Question

CHAIRMAN THOMAS: The question's been called for. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed.

(No opposing responses)

CHAIRMAN THOMAS: The motion now reads the same, with the exception as to strike the number 10, and insert the number five (5). The motion as amended, any further discussion. John.

MR. VALE: I would expect that, if this passes through the Board and everything, that we use the same form that's been available for the moose ceremonial form.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: I'm wondering when -- who issues the -- the permits for -- who would be issuing the permits for this, and when they issue those permits, do they have to take into consideration the -- whether the stock can handle it or not. Is that already in place.

MR. WILLIS: That has to be decided beforehand, Mim. You know, it's unlikely you're going to know something one month and not know it the next. The way this has been done in the past, you look at the population at the time, and the direction you think it's going, and make a decision on what level harvest you can sustain at that time. So, it -- it's unlikely that on a day to day or a week to week basis that you're going to know more than you do at any one particular time in the year.

MS. ROBINSON: Um-hum. But it is decided at the beginning of each season, what this population

MR. WILLIS: That's correct.

MS. ROBINSON: can handle.

MR. WILLIS: Yeah, we -- in this case, we don't have very good information, and so we -- we have to make our best guess, and we have to look at the proposal as it's presented. And when you say '10 deer of either sex,' and we know that the reported harvest is only three or four deer during the normal season, and we know that most of the -- harvest under an either-sex situation in that area would be does, because they're better eating and there are more of them than there are bucks, we look at that situation, and we say, biologically, we have problems with that. When you start trying, then, to drop it down to five deer, you're getting into an area where I can't make that kind of a call, you know. I mean, there's -- our information is just not good enough to say 10 is too many, but nine is okay. But, so we -- you know, we have to -- we have to make the call based on what's put in front of us

MS. ROBINSON: Um-hum.

MR. WILLIS: at the time of this proposal; and I don't think that -- that a situation or a situation where the land manager has to make a decision every time someone walks into his office whether or not to issue him a permit, I don't think that's workable.

MS. ROBINSON: Is that where the -- is it the ranger in Yakutat that would be issuing the permit.

MR. VALE: Yes.

MR. WILLIS: I would say so, yeah. That's the way the moose permits are handled.

MS. ROBINSON: So, it would be decided at the beginning of the year or the beginning of the season; you know, whatever it is for, say, 1997, whether or not any permits will be issued for that year for the ceremonial hunt.

MR. WILLIS: Probably in the spring. You normally do your pellet count surveys in May,

MS. ROBINSON: Um-hum.

MR. WILLIS: and of course, by then, you know what kind of a winter you've had, also, and how many dead deer you found on the beaches, if any, and so that -- that's the period of time, or the point in time, when you have the most information, and that would be the time to decide whether or to change the regulation.

MS. ROBINSON: It just -- the way this one is set up, it just seems, from what I'm reading here, that it's very open ended. I would just like to see more guarantee that they have to consider the constitutional mandate for sustained yield; and is that -- does that need to be -- if I want to see that happen, would I have to see that in this regulation, here, or is that in some other regulation somewhere else, that they have to follow that. Did -- am I making any sense.

CHAIRMAN THOMAS: I think that's built into the law.

MR. WILLIS: ANILCA itself says that you --

MS. WILSON: (Indiscernible comment - simultaneous speech)

MR. WILLIS: yeah; everything -- any --

CHAIRMAN THOMAS: Yeah.

MR. WILLIS: any regulation

CHAIRMAN THOMAS: Yeah.

MR. WILLIS: has to be consistent with s- -- with sound conservation principles, and the conservation of healthy populations.

MS. ROBINSON: Um-hum.

MR. WILLIS: That is the prefix to every statement about subsistence use and subsistence regulations; so, yes, that is built in.

MS. ROBINSON: Um-hum.

MR. WILLIS: That's -- in essence, that's what we're doing right here, now, you know;

MS. ROBINSON: Um-hum.

MR. WILLIS: based -- I'm saying that based on sound conservation principles and conservation of a healthy deer population, or as -- as healthy as that struggling population can be, we think 10 deer of either sex would be too many to take out of there.

CHAIRMAN THOMAS: Let me offer an example. Earlier this year, what was it, October or early November, when they determined that there was -- that the population of moose was in peril in this area because of the poaching that was going on, on the Stikine, and so they found a need to have an emergency closer. So, the State got involved with the U.S. Fish and Wildlife Service, asking if they would support that emergency closure. They called me and I said, 'by all means.' And then I had Fred take a survey of Council members with that same regard, and so that happens, you know. So, it's not that we're reckless; I mean, we're not necessarily -- I'm not into unknowledgable either, so I think that our moves have been very deliberate and responsible.

John.

MR. VALE: You indicated that the pellet group surveys indicated they were -- the population was in decline, and the Forest Service biologist who attended our meeting indicated that the population was remaining stable. With the exception of one island, Knight Island, which is the largest Island in Yakutat Bay and which is closer to the mainland than -- well, not really closer, but it's a large island and it had the largest population of deer, and was one of the most preferred areas of hunting. Anyway, about a year and a half ago a pack of wolves got on that island and they basically cleaned it out. And so, there's been a decline in the population as a result of that. But elsewhere, along the mainland shores of the bay and on the other islands, both local people and the Forest Service say that the deer are remaining stable and that they're doing all right in those areas. So, overall, there has been a decline as a result of that wolf predation on Knight Island, but the rest of the population seems to be

holding their own all right. So, that's sort of the local input on that or
.....

MR. WILLIS: I might also point out that -- the mainland area is Sealaska Corporation lands, and the only Federal lands we're talking about here are the islands off shore, that have deer. There may be a few deer on, you know, some of the other Forest Service lands. Correct me if I'm wrong, John, but you know more about that country than I do, but

CHAIRMAN THOMAS: Let me cut to the discussions here, 'cause we're talking about whether we're going to support or not support the motion. I think we've moved a lot of merits around already.

MS. PHILLIPS: I thought we already voted on it.

MS. WILSON: I thought we already voted on the motion.

CHAIRMAN THOMAS: On the main motion.

MS. ROBINSON: Um-hum.

MR. VALE: No, we voted on the motion to defer, which failed; and then, I don't know.

CHAIRMAN THOMAS: We voted on the amendment;

(Indiscernible -- simultaneous speech)

CHAIRMAN THOMAS: we voted to amend to five.

MS. PHILLIPS: Oh, I see.

MS. WILSON: (Indiscernible -- simultaneous speech)

CHAIRMAN THOMAS: The main motion -- the main motion's five, now. Mim.

MS. ROBINSON: Yeah. I was wondering about the last sentence in the proposed regulations. It says this 10 deer, or five deer, limit is not cumulative with any potlatch deer permitted by the State. I'm trying to figure out exactly what's being said there. Can you guys help me with that. It's the last sentence.

MR. CLARK: Mr. Chairman, I think that wording was in the original -- original proposal, and just carried over; and I don't think part was really analyzed; it was just carried as part of the proposal.

MR. WILLIS: As I read it, that -- that simply means that the State can issue permits for additional deer beyond the 10.

MS. ROBINSON: That what.

MR. WILLIS: The State can issue permits for additional potlatch deer beyond the --

MS. ROBINSON: Beyond that.

MR. WILLIS: beyond the 10 deer limit that's specified.

MS. ROBINSON: So, they could get five from the Federal Government and then how ever many the State issues also.

MR. WILLIS: That's -- that's the way I read this, yes.

MS. ROBINSON: Okay. Huh.

CHAIRMAN THOMAS: Okay. For or against the motion.

MR. VALE: Call for the question.

CHAIRMAN THOMAS: The question's been called for. All those in favor say aye.

ALL BUT MS. ROBINSON: Aye.

CHAIRMAN THOMAS: Those opposed.

MS. ROBINSON: No.

CHAIRMAN THOMAS: Okay. That motion carries. Proposal Number 6.

MS. MASON: Proposal Number 6 is a customary and traditional determination. It was submitted by the Sitka Tribe of Alaska, and it requests a positive customary and traditional use determination for goat in Unit 4, for residents of Unit 4. And presently, there's a 'no determination' for that. Now, this is another one having to do with introduced species.

Goat -- mountain goats are native to the mainland, portions of Southeast Alaska; they're not indigenous to Unit 4, but they were introduced to Baranof Island in 1923, and to Chichagof Island in the mid-1950s. The only population that's still there is the Baranof Island one. Al- -- although goats are an introduced species there, in the past, Tlingit groups in the area that is now Unit 4 did use mountain goat; they either hunted it themselves from mainland areas, or they traded for it, and goats were traditionally used there and they were both of ceremonial and practical importance, long before their introduction to the area. The harvest information that is presented here shows that between 1983 and 1994, 84.3 percent of the hunters who returned harvest tickets for goat were from rural communities in Unit 4; the vast majority of these were from the community of Sitka. The conclusion was Staff was to support the proposal, and again, this is -- the justification is that although mountain goat is not indigenous to Unit 4, goats have traditionally been used by residents of the unit, and before the introduction to the area, the island residents obtained by trade and by travel to those other areas to hunt. So, their use of goats is traditional.

CHAIRMAN THOMAS: Is Excursion Inlet -- is that part of Unit 4.

MS. MASON: I don't know where Excursion Inlet is.

MS. PHILLIPS: It's 1(C).

CHAIRMAN THOMAS: Huh.

MS. PHILLIPS: It's 1(C).

MR. VALE: It's across

CHAIRMAN THOMAS: Yeah, and it's so -- it's so close to those areas; there's a lot of goats there.

MS. MASON: That's right.

CHAIRMAN THOMAS: Yeah. So, just because the animals weren't accessible right there on their land, doesn't suggest that the c&t wasn't of the -- of that resource.

MS. MASON: It -- I'm sorry.

CHAIRMAN THOMAS: The resource came from somewhere else, but we still used it.

MS. MASON: That's correct.

MS. LeCORNU: Does that mean it's not customary and traditional.

MS. MASON: That's the question.

CHAIRMAN THOMAS: I didn't hear you.

MS. LeCORNU: Does that mean it's not customary and traditional.

CHAIRMAN THOMAS: Sure it is.

MS. LeCORNU: Oh. Well, then, I'm wondering what their reasoning was, the Fish and Game, that it's not.

CHAIRMAN THOMAS: Oh - oh. They didn't consider the fact that they traveled to other areas to use it.

MS. LeCORNU: Well, I'm -- what I'm speaking to is the fact that they introduced them there. They didn't put any caveat in there saying that no Natives are ever going to use this 'cause these Caucasians put it there. That's my point.

CHAIRMAN THOMAS: Oh, I see.

MS. LeCORNU: Did they have the ownership on that before.

CHAIRMAN THOMAS: I don't know, but it gets my goat, too.

MR. GEORGE: Mr. Chairman, move to adopt.

CHAIRMAN THOMAS: You hear the motion to adopt;

MS. ANDERSON: Second.

CHAIRMAN THOMAS: Second. Discussion.

MR. CLARK: Mr. Chairman, did you want the public comments, some of the public comments.

CHAIRMAN THOMAS: I -- are you Mr. Public. Please.

(Indiscernible - various voices)

MR. CLARK: Well, I don't have to talk about the Fish and Game comments because it's already been talked about, but I should point out that in the summary of public comments here it doesn't say whether they oppose or -- or not, or support; it just makes a statement. Ben Mitchell from Sitka says that he'd like to express his opposition because they're not indigenous to Baranof Island; they were introduced in 1927; the first legal harvest was in 1948. He points out that an effort was made to introduce goats on Chichagof Island; that was unsuccessful because a group of subsistence hunters slaughtered the entire herd on the beach before they could disperse. He doesn't provide any back-up data on that.

MR. ANDERSON: That's all speculation, Mr. Chairman.

MR. CLARK: The third public comment was from Laurence E. Johnson from Boise, Idaho. He says, "Oppose; goats did not even exist in the principal hunting are of the tribe till 1923, when introduced by the Alaska territorial government. Hunting was not legalized until 1948; this activity is better described as 'contemporary.' I do not believe the local tribes have ever shown a strong, continuing interest in sustaining a viable goat herd. For example, the Fish and Wildlife Service made at least two releases of goats on Chichagof Island in the mid-'50s. It is well known that a group of hunters from Angoon killed some, or perhaps all, of the goats from one transplant shortly after their release. Nowhere in the proposals is the word 'meat' used. I presume from this and from the proposal, that the tribe's interest is solely to establish wool gathering activity. If so, this flies in the face of the regulation requiring that all of the meat be used. Currently, annual harvest is at about the maximum; the extra number of animals they propose to take should be stated, and how that fits with the current harvest. Another factor is the harvesting of nannies during late stages of pregnancy. At that stage, the meat is of questionable quality, and the unborn kids do not have any wool and do not provide much meat." The final comment is by Joe Sonneman of Juneau. He says, "the present custom and tradition is to use commercial wool and to weave it in one fashion, rather than another. Custom and tradition evolve; they are not fixed in one single historical period. This proposal should not be agreed to, because it seeks to supplant present custom and tradition with something historical but not now customary and traditional."

CHAIRMAN THOMAS: Thank you.

MS. ROBINSON: Mr. Chair.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Port Alexander voted in favor of the proposal.

CHAIRMAN THOMAS: Let's see. Where --

MS. ROBINSON: It was seconded already.

CHAIRMAN THOMAS: we have a motion and a second, right.

MS. ROBINSON: Yeah.

CHAIRMAN THOMAS: So, we're still in discussion. Patty.

MS. PHILLIPS: Mim, I've been curious; does Port Alexander have a form of government.

MS. ROBINSON: Yeah.

MS. PHILLIPS: I -- I'm wondering about opening up the subsistence to all of Unit 4, when you have logging camps in -- on -- in Unit 4. So, I would like to narrow it down to specific communities, and I could -- one way of doing that would be to say 'communities with a government.'

MS. ROBINSON: Hmm.

MS. LeCORNUE: No.

MS. PHILLIPS: No.

MS. LeCORNUE: Communities with a historical use.

MS. PHILLIPS: Communities; so, we'd have to state each and every one.

MS. ROBINSON: You'd have to state the communities' names.

MR. VALE: You'd probably have to list every community you wanted to include. You want to do that.

CHAIRMAN THOMAS: We'll take a short recess while we list names of communities. Want to do that, Patty.

MS. PHILLIPS: Okay.

CHAIRMAN THOMAS: Take a short recess. Short recess.

(Off record)

(On record)

(Court reporter shutting off blower fans)

CHAIRMAN THOMAS: Thank you, Joe. You know, compounded with the other noise in the room, the lack of adequate microphones and sexy speakers, my hearing doesn't pick up very much of what's coming from that side of the room. I didn't hear Schroeder at all. Consequently, Mim brought to my attention the material that he was making reference to. I looked at it and she -- she shared her views with me and I agreed with them. And so, Mim is going to introduce that at this time, trying to be more inclusive of our ceremonial activities in the region than we have been. Mim, would you do that.

MS. ROBINSON: Okay. Because I voted against Proposal 5, 'cause I was concerned about the deer population, I can't have that come up for reconsideration, but I just talked to Patty and she said she would.

MS. PHILLIPS: Move to reconsider Proposal 5.

CHAIRMAN THOMAS: You heard the motion; is there a second.

MS. ROBINSON: Second. I -- you know, if I can second. Can I second it.

MR. VALE: There's no -- there's no motion on the floor, for the

MS. ROBINSON: Oh, are we on 6, still.

CHAIRMAN THOMAS: To re- -- to -- to -- to reconsider.

MS. PHILLIPS: We're on 6, still.

MS. ROBINSON: Are we still on 6.

MS. PHILLIPS: I don't know -- I don't know.

MS. ROBINSON: I think we were on 6, still, 'cause you were coming up with the names.

CHAIRMAN THOMAS: Okay. Let's finish 6, and come back to the other one.

MS. PHILLIPS: Okay. Was there a motion to adopt.

CHAIRMAN THOMAS: There was -- there was, and you were concerned about the -- the game unit being generic, and you wanted to specifies communities,

MS. PHILLIPS: Right.

CHAIRMAN THOMAS: so, we took a break to allow you to -- to jot those down,

MS. PHILLIPS: Mr. Chair.

CHAIRMAN THOMAS: and we appreciate you doing that. Patty.

MS. PHILLIPS: I move -- I move to amend Proposal 6; residents of Sitka, Hoonah, Tennakee, Pelican, Funter Bay, Angoon, Port Alexander and Elfin Cove.

MS. WILSON: Read it again.

MS. MASON: Please read it slower. Just

MS. PHILLIPS: Okay. Delete 'Unit 4 -- residents of Unit 4,' and have it read, 'residents of Sitka, Hoonah, Tennakee, Pelican, Funter Bay, Angoon, Port Alexander, Elfin Cove.'

MR. VALE: Second.

CHAIRMAN THOMAS: Moved and second. Discussion.

MR. VALE: Are we on a motion to amend, or

CHAIRMAN THOMAS: No -- yeah; to -- to -- to amend from -- from 'residents of Unit 4,' to -- to the specific communities.

MR. GEORGE: Question.

CHAIRMAN THOMAS: Question has been called. All those in favor of the amendment, signify by saying aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: All those opposed say aye.

(No opposing responses)

CHAIRMAN THOMAS: Motion carries. That brings us up to Proposal 6.

MR. CLARK: Mr. Chairman, if I could have the names of those communities

CHAIRMAN THOMAS: Gave them to you twice. John.

MR. VALE: Mr. Chairman, speaking to the issue of how long introduced species and how long does it take to develop customs and traditions on an introduced species in order to obtain c&t. And speaking to that, I think that's a good question, and in my view, I find that, for example, with deer, and I think the same is true with goat, that when people who customary and traditionally use resources, when they obtain and use those resources during their lifetime, then, to me, that -- they develop a custom and tradition of using them, and I'll pose as an example the funeral potlatch and the ceremonial potlatch; part of the purpose in that is to share the foods that the potlatch -- that the individual who passed away enjoyed during their lifetime, and those are the foods that you should have at the potlatch. And there's some process with burning the food at the potlatch, and the smoke's supposed to go up, and that person is supposed to be enjoying those foods with the people that are at the potlatch there. So, giving that as an example, I think that one develops the customs and traditions of an introduced species in that manner. So, I just felt that for the record, that's my view on it.

CHAIRMAN THOMAS: Well, it's -- your view is appreciated, but like I said earlier, customary and traditions, again, dealing with the language that we're stuck with, shouldn't imply that those resources weren't there, whether they were indigenous to the area or not. When I was a boat builder, I used ironbark from Thailand, you know. And I used -- that was customary and tradition for me to use, 'cause nothing else worked. So, what I'm saying is, that these -- these species have been so near those units that we're talking about, that they were used anyway. There's nothing said about using that particular population for c&t.

MR. VALE: Okay.

CHAIRMAN THOMAS: Okay. Where are we at.

MR. VALE: I got you on that one, though.

CHAIRMAN THOMAS: You did. So, we're ready to vote on -- on the -- to adopt Proposal 6, now.

MR. VALE: Call for the question.

CHAIRMAN THOMAS: The question's been called for. All those in favor of adopting Proposal 6 as amended say aye.

IN UNISON: Aye

CHAIRMAN THOMAS: Opposed, same sign.

(No opposing responses)

CHAIRMAN THOMAS: Motion carries.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: Move to reconsider

MS. ROBINSON: Okay --

MS. PHILLIPS: Proposal Number 5.

CHAIRMAN THOMAS: Okay. To -- moved and second to reconsider Proposal Number 5.

MS. ROBINSON: wait. I wasn't seconding it; I was saying that I sent Peggy to go make copies of the State proposals so that everyone can have something to look at, and I would suggest that we wait until she gets back with those to take this up.

CHAIRMAN THOMAS: So, let's continue, and come back.

MS. ROBINSON: Yes.

CHAIRMAN THOMAS: Let's kick ahead and back up.

MS. PHILLIPS: I withdraw my motion.

CHAIRMAN THOMAS: I don't even care anymore whether you withdraw or not. Proposal 7.

MR. WILLIS: Proposal 7 would -- was submitted by the Sitka Tribe of Alaska, and it would create a spring season for goats in Unit 4, extending from March 1 to April the 30th, while retaining the existing fall and winter season of August 1 through December 31, and we just got a treatise from Rachel on the mountain goat introductions in -- on the Baranof Islands, so I won't go into that.

CHAIRMAN THOMAS: Robert, can I offer something. Please let me introduce something. Herman -- Herman just shared something with me that could save us some time.

MS. ROBINSON: Mic.

MR. KITKA: When -- when we had the meeting on this, I -- I told the community that was attending the meeting that they have the regulations confused. In the spring, the families got the wool without killing the animals. This -- this was the thing that I tried to point out to them, that my family used to go into Glacier Bay, and -- and among the bushes were -- the winter herd was, when they leave in the spring, all the wool is among the -- the bushes. It wasn't very hard to get. We put them in gunny sacks; sometimes we'd get five, six gunny sacks full, and my mother used to weave the Chilkat blanket. And from the spring gatherings, the -- the people in Sikta, the Sitka tribe, they thought that the people killed the animals in the spring for the wool, and I said, no, and I told them I was going to oppose this when it came up at this panel. So, I move we don't adopt Proposal 7.

MR. WILLIS: Herman, I'm extremely glad that you made it to this meeting. I -- in past meetings, I have -- know I had two people tell me that wool was gathered in the spring and summer, just as you describe. I could not remember who told me that; and Rachel and I talked about this at some length, and we could not find it anywhere in the documented literature, but I knew that I had been told that by two elders. You were one of them; the other one was a gentleman who spoke, I believe, at Hoonah; and this is something that's not in our analysis, because we couldn't find any documentation.

MR. KITKA: The document, it reports, and Emmon's (ph) book says that they use it springtime. It didn't say how they got it in the spring, that's where the confusion comes from.

MR. WILLIS: But that was an extremely valuable piece of information and I was going to ask Herman about that and he volunteered without me having to do so. It's much appreciated.

CHAIRMAN THOMAS: So you moved another notch.

MS. PHILLIPS: I second.

CHAIRMAN THOMAS: The motion to not adopt and seconded, any discussion?

MS. WILSON: I just have something to say real quick.

CHAIRMAN THOMAS: Oh, Marilyn.

MS. WILSON: The wool that's still being gathered to this day is not a historical thing. Like Maria Miller she passed away earlier last year, but she was a Chilkat blanket weaver and she had people gather the wool for her from the branches upon the mountains, so it's still being done today.

CHAIRMAN THOMAS: Further discussion? Mim.

MS. ROBINSON: Shouldn't we hear the public comment? A lot of it I noticed is pretty much the same as Proposal 6.

CHAIRMAN THOMAS: Where's our public?

MR. FELLER: He's on the telephone.

MS. ROBINSON: Pardon.

CHAIRMAN THOMAS: Our public is on the phone.

MS. ROBINSON: A lot of it is the same as Proposal 6 comments.

MS. MASON: We can get his book. Where is it?

MS. ROBINSON: Port Alexander voted in favor of this, but I think if they heard what Herman just said they would have been against it.

MR. WILLIS: I have the written public comment. The Alaska Department of Fish and Game opposed it on biological grounds. And also Laurence Johnson of Boise, Idaho who had sent in an opposition to Proposal 6 is also opposed and for the same reasons. As a matter of fact this is the same statement that you find under Proposal 6, so I won't read that again. And third letter was also in

opposition, it was again from Joe Sonneman from Juneau and his comments are exactly the same as there were under Proposal 6 also.

Does that satisfy the public comment?

CHAIRMAN THOMAS: Yep. Thank you, John Q. Further discussion?

MR. ANDERSON: Call for the question, Mr. Chairman.

MS. ROBINSON: Question.

CHAIRMAN THOMAS: Question been called for. All those in favor of the motion signify by saying aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed same sign.

(No opposing responses)

CHAIRMAN THOMAS: The action was not to adopt. Proposal 8.

MR. WILLIS: Proposal Number 8 was submitted by someone named John Vale who would lengthen the goat season in Unit 5 from August 1st to December 31st, to August 1st to January 31st and in Unit 6(A) from August 20th to January 31st to August 1st to January 31st. This would make the season extend from August first to January 31st in both of those subunits.

We need to talk about Subunits 5 and 6(A) separately because the goat populations are in considerably different condition in each of them. Currently the majority of the goats

CHAIRMAN THOMAS: Let me just interrupt you. Thank you, guys, have a good flight.

(Ms. LeCornu departs)

CHAIRMAN THOMAS: Thank you, Robert.

MR. WILLIS: In Unit 5 the goat population is in decent shape, we don't have real good information on it, it's not an area that's attracted a lot of attention for goat hunting. The estimated population size is 630 to 740 goats in 1992/93 and the area biologist says that the information that he gets from guides and local residents is that the population is relatively stable in that unit. It's an area where you have a lot of snow fall periodically and weather can knock goat populations down pretty severely on occasion, but they've had a few mild winters there and so the goat population seems to have come back from its low numbers that occurred back in the 1980s.

With the exception of a very small acreage of national forest land when you get up into Unit 6(A) almost all the goats are on State land. I put two maps up here, hopefully you can make out what I'm demonstrating. The one on my left, on your right here is the map of Federal Subsistence Region 2 and if you look down at the bottom there on the far left, my left hand corner, you can see the area that we're talking about which is Unit 6(A). The white is the State and private lands and colored areas are the Federal lands of various kinds. As you can see

from looking at that that there is very little Federal land left within access of the coast in that area.

When the State selections were made they took everything but the rock and ice for the most part. And the only population of goats that's really accessible on Federal land is there's a few goats in the Icy Bay region. The line which divides Unit 5 from Unit 6(A) runs up the middle of Icy Bay also. And the northwest side of Icy Bay falls in 6(A). There is a small portion of Federal land there with some goats on it, it's relatively inaccessible. The majority of the goats are up in the Robinson Mountains area which falls almost entirely on State lands. And the nearest goat population that's in there that's huntable is six to 12 miles from the coast on the Dahlgren Ridge area.

And I checked to see who had been harvesting those goats in the past few years and it turned out it was all people who were flying in, landing on the ridge tops to hunt, that was about the only way you could access those goats. I bring that up because extending the season in an area where there's essentially no opportunity for subsistence hunting is something that you might want to consider. From a biological standpoint it's not going to make a difference. we really have no concern as far as extending the season during the month of August up there because there's traditionally been very little harvest during that month and we don't think you would create a biological problem by extending the season.

I probably should also point out that the goat population is declining in all of Unit 6(A) mainly due to timber harvest, some predation and some overharvest in years past. And at this time there's only one goat herd that's hunted up there and that is the Dahlgren Ridge herd. It too is declining, but it's still high enough that ADF&G believes there's enough goats there for a small harvest. The rest of that country has been closed to goat hunting. That also applies to the small area that I mentioned in Icy Bay which is on Federal lands. Although there is a Federal season, it's by State registration permit only and currently the State doesn't issue any permit for hunting goats in that corner of Icy Bay that is Federal lands. That's the situation in Unit 6(A).

In Unit 5 the population is in better shape. There are quite a few goats on Federal lands that are accessible and I think that the season extension would have a much more impact there than it would in Unit 6(A). The harvest has not been very high in Unit 5, the highest has been 13 goats in 1990. The area biologist says there's been a resurgence in the interest in goat hunting lately and I think part of that is from one particular outfitter who stated taking people in to a lake to pursue goats.

Traditional harvest time does span the period that is in this proposal, August through January. The great majority of the harvest takes place in September and October. Traditionally about 12 percent in August under the current regulations, another 12 percent in December. There has been no harvest in Unit 6(A) in January -- in December or January for the period 1988 through 1993.

Our position on this is the proposal can be cautiously supported where the fact that the one huntable population up there is 6(A) is declining and the fact that there is currently no goat hunting available on Federal lands. It kind of raises the question of whether or not you want to mess with changing the hunting season and having the regulations between the State and Federal jurisdictions when there's very little, if any, opportunity for goat hunting on Federal lands in 6(A). Unit 5, as I said, the population seems to be reasonably healthy and

we don't anticipate a great increase in the harvest if this season extension is instituted and so we have no objection to that proposal.

Fred, did we have any public comments on Proposal Number 8?

MR. CLARK: Mr. Chairman, there are two comments on Proposal Number 8. One is identical to the one for the previous proposal, Proposal Number 7 and Number 6, I believe. That's from Joe Sonneman in Juneau stating the way customs and tradition evolve. The other one is from the Alaska Department of Fish and Game in opposition to the proposal. It says: "Oppose. Because of 165-day, any goat season is already in place, all users are adequately accommodated. Ample opportunity exists to harvest goats during an early alpine season and a later hunt at lower elevations. In the part of Unit 6(A) where residents of Unit 5 have historically hunted there is no Federal land and over the past 10 years residents of Unit 5 and 6(A) have only harvested a total of 2 goats. The hunt area is non-Federal land."

CHAIRMAN THOMAS: Thank you. John.

MR. VALE: Move to adopt.

MS. PHILLIPS: Second.

CHAIRMAN THOMAS: It's been moved to adopt and seconded. Discussion. John.

MR. VALE: On the discussion the areas that -- also there's a map here that I sent out that shows the -- passed out to you guys, one of these longer ones here, it shows areas hunted for goats by residents of Yakutat. This one here. It's the same one that shows the bears in the Kaliakh River area. With regards to Unit 6(A) and the Icy Bay area, as you can see from this map the historical hunting area was on both sides of the Bay. Part of the western side of Icy Bay that's in Unit 6(A) does have -- that's in the park, does have goat population on it. And is a historical harvesting area for residents of Yakutat.

Use in Icy Bay itself has dropped off significantly in the last 15 years and that's mostly a result of bag limits were reduced by the State in the mid 1970s from two goats to one goat. And Yakutat residents -- it was found that it was really no longer worth the effort to go up there for one goat, for the fact of the time of year, weather is poor and most people use boats. There is some opportunity to access area with airplanes, but they're really not used that often. And people basically quit hunting goats there because it wasn't worth their while to go up there for one goat anymore. Typically there would be two or three people that would go up in a skiff and they would harvest, you know, six goats and bring them back to town, they were would be shared in the community. And when it was reduced to one goat then it just wasn't worth their while to brave the weather and the ice and the extreme weather conditions that are in that area and so their uses dropped off.

An area in Unit 5 that hasn't had many goats taken off it in recent times for that reason and that's part of the justification for the proposal, is to provide more opportunity. Also the portion of Unit 6(A) on the western side of Icy Bay, there is a goat population on Brower Ridge there that as Robert mentioned was in decline and the seasons -- you know, there has been a season, I'm not sure if there was one this last year or not, but there was a significant population there at one time and they've been reduced drastically. People hope that opportunity will become available again there in the future and also the portion that's within the park.

Many of the goats that used to be on Brower Ridge that are on State land are now along the ridge line that's inside the park on the western side of Icy Bay and they're no longer accessible to other hunters. Other than people of Yakutat because it's in the hard part of the Wrangell/St. Elias Park. Only those communities that are in the resident zone can hunt in there, and practically speaking that only leave Yakutat, so they're the only people that can hunt in that area. I've personally flown over it and seen substantial number of goats in there and I think there is, you know, a population that can be hunted then.

That remains to be seen. This proposal doesn't address that part of it, but the fact is Icy Bay was a historical area and the intent here was to have both sides of this historical area open at the same time and available at the same time and also to provide some increased opportunity in the other portions of Unit 5.

So that's all. I just kind of wanted to give you a little background information there and I'll be supporting the proposal.

CHAIRMAN THOMAS: Further discussion?

MS. PHILLIPS: Question.

CHAIRMAN THOMAS: Question been called for. All those in favor of adopting say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed same sign.

(No opposing responses)

CHAIRMAN THOMAS: That motion is adopted. Are we ready for the Patty and Mim show?

MS. ROBINSON: Yeah, we're ready. Yeah.

MS. PHILLIPS: Move to reconsider Proposal 5.

CHAIRMAN THOMAS: It's been moved to reconsider Proposal 5.

MS. ROBINSON: Someone else needs to second it.

MR. ANDERSON: I second it, Chair.

CHAIRMAN THOMAS: And it's been seconded. Discussion.

MS. ROBINSON: Can I go ahead and speak to this?

CHAIRMAN THOMAS: Yes.

MS. ROBINSON: Okay. The question was asked why didn't we extend this to Unit 4 and then I thought, well, why stop at Unit 4, why don't we deal with all Southeast all the same time because eventually it's going to be -- I mean the Yakutat proposal is -- I mean it's relevant to all of the units in Southeast and at some point people are going to be asking of that and we'd be coming back to this every year until all the units were taken care of, so why not do it now. And the State proposal looked pretty good to me with a few changes to adapt it

to the Federal system. And so what I'm suggesting is not to bother with the Yakutat one that we adopted, Proposal 5, and instead go this route.

CHAIRMAN THOMAS: Okay. Mim mentioned that to me and parliamentary and process wise it looked like we could do that because we would do the same thing, essentially, by making a series of amendments to accomplish what on this one document. So I guess the ambition now is to offer a substitute proposal or the proposal can be the same -- wait a minute. It would be the same number, but a different proposal. But I don't think that would violate anything; does anybody else think it will?

What it's going to do is it talks in terms of -- it's titled: Taking of Big Game for Religious Ceremonies Other than Unplanned Funerals. And it has in here a person organizing the religious ceremony would contact the nearest office of ADF&G Division of Wildlife Conservation or the Alaska Department of Public Safety, Division of Fish and Wildlife Service Protection or State Trooper prior to the taking or attempting to take game. And provide to the State, A. the name of the decedent; B. the nature of the ceremony; C. species to be taken; D. game management units in which the taking will occur. And two, the taking does not conflict with the constitutional mandate for sustained yield.

Three, a person responsible for taking big game shall as soon as practical, and not more than 15 days after the harvest, submit a report to the nearest Fish and Game office specifying the number of sex big game animals taken and the name and address of the person or persons taking the big game. The date and location of the big game and the name of the decedent for whom the ceremony was held.

Four, no permit or harvest ticket is required for taking game for religious ceremonies, however, non-residents may not participate in the taking or attempting to take game for religious ceremonies.

MS. ROBINSON: Mr. Chair.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Two things. Looking at Proposal 5, the reason for changing the regulation and looking at the effects of the proposal change on subsistence users, both of those sentences there, this new proposal would meet those needs, Proposal 5.

The other thing is things that would be changed in this alternate Proposal 5 in the first sentence from the word 'other' until the end of the '5 AAC 92.019' that would be deleted and then the last sentence of that paragraph you would eliminated the '5 AAC 85' and instead say 'Federal regulation'. And any places where it refers to State departments or things like that it would say instead 'Fish and Wildlife Office'.

And also I was wondering if Bob Schroeder would come up and -- Bob, you said a couple of things to me about this proposal and it might be helpful if you could share that with everyone here. We were talking about -- I was asking you -- let's see, there was some things that you said that would kind of help clarify -- I don't know if I can remember now. Do you remember what we were talking about?

MR. SCHROEDER: I think so. I'll kind of ramble on in my usual way, probably say everything I know. This -- maybe I went through this pretty quick when I spoke earlier, but this proposal is set up to meet the requirements of the

Native American Religious Freedom Act, as well we really recognize in regulation that certain traditional Alaska Native ceremonies are religious ceremonies. So that's the goal of this proposal.

The notification is there to avoid embarrassment with enforcement, so if someone were getting an animal and no one knew about it, enforcement might be called in on them and be unpleasant situation where the enforcement officer had no knowledge that there was a harvest taking place for a religious purpose. So that's why the Section 1 is in this suggestion.

And the Section 2 is the normal maintaining, you know, the bottom line for both Fish and Wildlife Service, Federal Subsistence Board, Board of Game, Regional Councils, for everyone who's concerned with wildlife and maintaining viable populations and not hurting resources, so that why that provision is there.

Provision 3 is a simple reporting requirement so that managers can keep track of what's coming out of a particular population and 4 in this version, after a good deal of discussion within the Department, we felt that if things were religious in nature it wasn't appropriate for the Department of Fish and Game to be issuing a permit for religion and that it normally isn't a function of government to issue permits for things that are religious.

So that's about what I had to say. I'd also just let you know where this -- this proposal came out of a good deal of discussion within the Department of Fish and Game with mainly the Division of Subsistence and Wildlife Conservation staff working on it. There also are provisions -- there were provision under earlier lawsuits for Athabascan pot latches and I think some of you are familiar with those. And so this doesn't affect those pot latch provisions which have been around for quite a while. And that's what the part that Mim was suggesting to X out referring to Section 5 of the Alaska Administrative Code 92.019, are things that refer to the Athabascan pot latch and those people didn't want their existing situation changed by this regulation.

MS. WILSON: What was that number again, Section what?

MR. SCHROEDER: The Athabascan pot latch is covered under 5 AAC 92.019, so that's -- without having the Code in front of you, unless you memorize it, was just providing a reference.

MS. WILSON: Okay.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: You had said, Bob, when I was talking to you, we were talking about -- for this Yakutat proposal we had changed it from 10 deer down to five and we were talking a little bit about this proposal saying that there's no permit required and also that there's no quota and you were saying that there's no quota because you didn't feel there should be a quota for religious needs. Is that how you said that to me before?

MR. SCHROEDER: Yeah, Mr. Chairman, Mim. As the discussion went along and we also had some advice on what the Native American Religious Freedom Act entails and following those provisions, which is the law of the land, and not the law of Alaska or the Federal government as opposed to the State, the law of the United States. It appeared that if something was religious it, in fact -- it wasn't that there was a quota on religion. It would be kind of like a quota on government telling us we could only pray 20 minutes a day and beyond that you'd

be breaking the law, so fortunately the United States government and the State of Alaska doesn't presume to do that and I think that was kind of the reasoning in this area.

It also seemed that the number of religious ceremonies that may take place could vary a whole lot in a community over the years. Since this proposal was tied into ceremonies connected with death and there may be a lot of deaths or there may not be any deaths in the place for which there would be ceremonies that are covered by this. Other ceremonies are not covered by this proposal, so if there were other things that someone was interested in they would not be covered by this particular proposal.

CHAIRMAN THOMAS: Okay. John.

MR. VALE: My question is, what does the -- what's going on here, what happens to the original proposal; is it being substituted for this proposal right here?

MS. ROBINSON: Yeah, except we haven't actually done that, so I move that we substitute

MS. PHILLIPS: We still have a motion to reconsider.

MS. ROBINSON: We brought the one up, this one up.

MS. PHILLIPS: Did we?

MS. ROBINSON: Yeah, we already did that.

CHAIRMAN THOMAS: Did we vote on the reconsideration?

MS. ROBINSON: I thought we did.

CHAIRMAN THOMAS: Well, let's vote on the reconsideration. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed same sign.

(No opposing responses)

CHAIRMAN THOMAS: Okay. John.

MR. VALE: I don't if you can answer this question or not, between the bunch of you there, but are we going to get into trouble on this one with the public process and the notice and all that?

MR. WILLIS: That's an excellent point, John. I think you are certainly subject to that. This is just my opinion, but one of the problems that we've had in the past and we've tried to encourage councils not to make dramatic changes in these proposal. You know, 10 deer to five is not a dramatic change. Going to something this sweeping I would think, is to me, a pretty dramatic change. And, however, we might react to it here, whatever analysis we might present you, still it would bother me that the public was not allowed to comment on this. And I have a feeling -- well, I don't want to pre-guess what the Board would do with it, but your point is well taken, let me put it that way.

MR. VALE: Maybe is the answer.

CHAIRMAN THOMAS: Well, what we could do to shorten up on discussion is maybe have this as a hold over for next time around. We got to cover them all anyway, so it'll be just a delay of another meeting.

Mim.

MS. ROBINSON: Well, it would be two meetings.

CHAIRMAN THOMAS: Even so.

MR. GEORGE: Yeah, Mr. Chairman, Council members, I disagree, you know, with the public process type of determination. This is a religious ceremonial proposal that we're addressing here and, you know, you address it in the best way possible, you don't -- I mean -- I guess, you know, which one takes precedent, State law or the religious ceremonial regulations of providing for? Like I said, in terms of -- and I think there was a good example of prayer and stuff. You know, if Yakutat put a proposal out that we could only pray 10 minutes and they said, no, we pray 20 minutes, you know, or whether we say that we can't regulate that, but we can provide for it and we have to provide for it under the Indian Religious Freedom Act, which is what this is addressing, so it's different than the regular subsistence proposal put forth by the public and by the Regional Councils and by other entities, just like there are other things that are different.

This is a way of addressing a ceremony the proper way, if I may say it. So, you know, and maybe the proper way in a statewide basis to address, you know, all the ceremonies that may go on on a statewide basis versus a very specific proposal, like you said, that was somewhat arbitrary in terms of the number of animals taken. This takes into account the ceremony, the religious aspect of subsistence harvesting, you know, so I think it's quite different than the public -- going through the public process and all because the public can't tell me how -- I mean, somebody in Washington, D.C. can't me how I can practice my religious, you know, ceremonies and comment on it and say that's not right because they can't get involved in that manner.

MR. VALE: So what's your recommendation?

CHAIRMAN THOMAS: Okay. Time out. Time out. Robert.

MR. WILLIS: I agree with what Gabe said as far as, you know, this is entirely different approach and the point is, though, if you act on it in this forum and recommend it to the Board, you are recommending it a Federal regulation. And all Federal regulations are subject to public review and to bypass the public review process, well you can't legally do it. Again, I don't want to pre-guess what the Board would do, but this is such a sweeping change that it should be public review, I think. You're going from five or 10 deer from Yakutat to every species everywhere in Southeast, in this case, and that's quite a jump.

CHAIRMAN THOMAS: John.

MR. FOSS: Thank you, Mr. Chairman. My name is John Foss, I'm Alaska Native liaison for the Forest Service. My understanding of the Native American Religious Freedom Act is that it is an individual right, it is an act that was passed to address individuals and their religious practices on public lands. The use of resources to carry out that practice and the right are the freedom of access to areas that may be considered sacred or whatever, but it's an

individual right. Now, to take this Act and apply it to the use of natural resources in a customary or traditional manner, in my opinion would be say that anyone with a religious activity, defined by that individual, would have the right to take the resource and use it in that religious activity. Meaning that they can define their own activity without input from customary and traditional sources. I just wanted to make that point.

CHAIRMAN THOMAS: Thank you. Mim.

MS. ROBINSON: I was curious, when's the Federal Subsistence Board meeting?

CHAIRMAN THOMAS: April

MR. WILLIS: April 29th through May the 2nd.

MS. ROBINSON: Okay. So the Board of Game meets prior to that time. This is essentially the same proposal, the public has opportunity to comment on the State proposal and the Federal Subsistence Board would have access to those comments and the public opinion prior to them making a decision on this one. The same public is available to comment on the State proposal as the Federal proposal, it's the same people out there. So the Federal Subsistence Board could always defer this for the next round of proposals, we give them that option, they can either deal with it or they can pass it. I think we should go ahead and stick out necks out and go ahead and pass it on to them, so I would be in favor of doing this.

MS. WILSON: Mr. Chairman.

CHAIRMAN THOMAS: Robert first, Marilyn.

MR. SCHROEDER: A comment on -- obviously I expect when the Board of Game picks up this proposal some lively discussion on what is an Alaska Native religious ceremony and what isn't. That discussion would obviously take place similar to what John said. Insofar as thinking seems to be going on this, is that it may not be such a problem in that it may be pretty clear that there are certain things that are Native religious ceremonies and that the problem of someone self defining whatever they do as being religious may not be something that comes up. I think there's probably a lot of legal precedent set around Native American religious activities that would be drawn in on this. So hopefully this wouldn't be subject to the abuse of everyone deciding that everything they do is religious when, in fact, it isn't. But I think that was a really good point, John.

CHAIRMAN THOMAS: Well, I agree with my Council, I feel like they used to be (ph). Don't say nothing.

MS. ROBINSON: Where are we at now?

CHAIRMAN THOMAS: Your on the verge of something great.

MS. ROBINSON: Okay. I move that we substitute language for Proposal 5 and with the State Proposal Number 115 as changed. Oh, there was one other change that I had for that also. In the first sentence, the taking and use of big game, and I'm adding in Units 1 through 5 from food and traditional, et cetera. So it would just be adding the words, 'Units 1 through 5'.

CHAIRMAN THOMAS: Before I second that Robert asked to be recognized.

MR. WILLIS: Yeah, I wanted to make another suggestion to Mim's language change and rather than saying when she changed the Alaska Department of Fish and Game, et cetera, to U.S. Fish and Wildlife Service, I would say 'the appropriate Federal land management agency' because down here the Fish and Wildlife Service has a total of about 1,000 acres. The Forest Service controls about 17 million. They would undoubtedly be the ones issuing any permits and taking phone calls for same.

CHAIRMAN THOMAS: They can't even handle TLMP for crying out loud.

MS. ROBINSON: So the appropriate, what?

MR. WILLIS: The appropriate Federal land management agency. That was -- that's off the top of my head, there may be better language, but

MS. ROBINSON: Sounds good to me. So that would also go down to on Number 3? Submit a report to the nearest - in this language it says: submit a report to the nearest Fish and Game office, so it would be the same?

MR. WILLIS: The same, yeah, Federal land

MR. SCHROEDER: The intent of one is to avoid embarrassing enforcement actions or unfair (ph) enforcement actions, so we definitely want to coordinate if this, in fact, passes.

MS. ROBINSON: So maybe it would be -- it would still be the appropriate State and Federal management.

MR. WILLIS: Probably both.

MS. ROBINSON: Yeah. For that one anyway.

MR. WILLIS: Unless there was a system set up where the Federal land manager contacted the State, it could be done that way.

MS. ROBINSON: So you'd make agency, agencies?

MR. WILLIS: I think it would be easier to establish and make it that way than to have the subsistence user try to contact both of agencies.

MR. SCHROEDER: Well, they should contact one, but I figure it would be up to the Federal and State to make sure that they knew what was going on.

MS. ROBINSON: So how would you recommend that would read then? What language would you insert in there then?

MR. WILLIS: Something to the effect that the Federal land manager would contact the State agency and advise them. Bob, is that what you're thinking or would you rather start with the State and then go to the Federal?

MS. ROBINSON: Should we take a short break?

CHAIRMAN THOMAS: We're going to take a short break, guys.

MS. ROBINSON: Get this language figured out.

(Off record)

(On record)

CHAIRMAN THOMAS: Okay, we had a motion on the floor to offer a substitute proposal in Proposal Number 5 where I needed a second.

MS. PHILLIPS: Second.

CHAIRMAN THOMAS: The motion is seconded. Discussion.

MS. ROBINSON: Mr. Chairman.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Okay. There's one more change for the motion. Maybe I'll say that first and then go over what the changes would be. In number 2, instead of how it's written there about the constitutional mandate, we'd use some language out of 805 and we would strike the words 'conflict' to the end of the sentence and substitute it with 'violate recognized principles of fish and wildlife conservation' and that's a sentence right out of 805. A phrase anyway.

MS. WILSON: Where does that go again?

MS. ROBINSON: That would go in number 2. It would be replacing that constitutional mandate part. It would violate recognize principles of fish and wildlife conservation.

So, once again, the changes to the State proposal would be adding 'in Unit 1 through 5' after the words 'big game' in the first sentence. In the same sentence striking the words 'from other' to the end of the regulation or statute cited or whatever it is there. And then striking the other '5 AAC 85' and replacing that with 'Federal regulation'. And then in number 1 where it says 'contacts the nearest office' from there down to 'troopers' it would say 'contact the appropriate Federal land management agency'.

MS. WILSON: The Federal land management agency?

MS. ROBINSON: Yes, Federal land management agency -- the appropriate Federal land management agency. And then to number 2 as I just said. Number 3 where it says 'Fish and Game Office' you would substitute that same language from up there 'the appropriate Federal land management agency' and that's all.

On thing that was pointed out was if the Board, the Federal Subsistence Board, does not want to take this up at this time because of the sweeping changes it's proposing then Yakutat would probably lose its opportunity for this next season this next year to get their ceremonial deer, so that's something to consider, I guess, when we're voting on this.

MS. WILSON: Mr. Chairman.

CHAIRMAN THOMAS: Yeah, Marilyn.

MS. WILSON: What constitutes big game? Because the first Yakutat proposal was for deer and this one says 'big game', so what does this all mean? Does this mean deer and moose?

MR. WILLIS: That's correct, Marilyn. In the Federal subsistence management regulations, if I can find the section in a timely manner, there is a definition of what constitutes big game.

CHAIRMAN THOMAS: Super Bowl.

MR. VALE: That's on January 29th, isn't it?

MR. WILLIS: Okay. We don't use the term 'big game' anymore, that's been determined to be politically incorrect apparently. We use wildlife, in this case 'an ungulate'. And what we're talking about here would be all the ungulate species, which is deer, caribou, moose and goat, Dall Sheep and musk oxen and also bears would be included.

CHAIRMAN THOMAS: I.e., big game.

MR. WILLIS: I.e., big game, yeah.

MS. WILSON: So where is the name going to be changed in this proposal?

MS. ROBINSON: We could always just put deer, maybe that would make it more acceptable to the Board.

CHAIRMAN THOMAS: Bring it into compliance with what Robert just read, wildlife.

MS. ROBINSON: Or we could -- it might make it

MR. VALE: Ungulates.

CHAIRMAN THOMAS: Ungulates.

MS. ROBINSON: Or we could just keep it

MR. WILLIS: Ungulates would not include bear and that is the only species that would not be included under ungulate.

CHAIRMAN THOMAS: I'm sure trying to find a way to properly use that name.

MS. ROBINSON: Or we could just do deer and maybe that would make it more acceptable to the Federal Subsistence Board.

CHAIRMAN THOMAS: It wouldn't be as sweeping.

MS. ROBINSON: It would not be as sweeping, it would be just a little bit of a puff.

MR. VALE: Personally I'd prefer the wildlife part of it, I mean, if we're going to do it, let's do it right.

MR. WILLIS: That would be the simplest way is just to say wildlife. That would include bird and snowshoe hares and so forth, as well as the large animals, if that's the way you wanted to go with it.

MS. ROBINSON: That would be a big bang, everything.

MS. WILSON: That means the State won't go for it then as it's written anyway. I don't think the State will go for this.

CHAIRMAN THOMAS: Well, we're not speaking for or to the State right now.

MS. WILSON: I know, I just made a comment.

CHAIRMAN THOMAS: No comments allowed.

MR. SCHROEDER: Mr. Chairman, just what immediately comes to mind is the only problem. Birds are under wildlife, is that correct, under your definition? You'll probably run into some problems there because the Migratory Waterfowl Acts, that would bring in a whole slew of other things that are (indiscernible) Birds do not include migratory waterfowl.

MR. WILLIS: No, migratory waterfowl are not included in the definition under wildlife. In the subsistence regulations they're handled separately under Migratory Bird Treaty Act.

CHAIRMAN THOMAS: If it doesn't fit, you must acquit.

MR. WILLIS: I'll read it to you. Wildlife means any hare, for instance, rabbit, ptarmigan, grouse, ungulate, bear, fur bearer or unclassified species and includes any product, egg or offering thereof or carcass or part thereof.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: Mr. Chair, if the Federal Subsistence Board moved to defer it, the Yakutat Tlingit Tribe could still go to the Federal Subsistence Board and get a ceremonial permit.

MS. ROBINSON: Okay. So their needs would be met still.

MR. WILLIS: That was done once last year.

CHAIRMAN THOMAS: John.

MR. VALE: Recognizing that, you know, I think we're in -- whether it gets addressed or not this spring, I think we're on the right track and we're doing the right thing and so I don't have any trouble with that myself. I even think this has the potential of replacing the moose proposal as well, so I think it's more streamline and would bring about a better system for all those people involved in Southeast here. So I'm in support of it.

CHAIRMAN THOMAS: Further discussion. Mim.

MS. ROBINSON: I suggest that we substitute 'wildlife' for 'big game', I would suggest that we make that change on this also.

MR. VALE: You mean 'big game' for 'wildlife'?

MS. ROBINSON: Put 'wildlife' in there instead of 'big game'.

MR. VALE: Right.

CHAIRMAN THOMAS: Are we happy with the language now?

MS. ROBINSON: Yeah, I like it.

CHAIRMAN THOMAS: Keep in mind at some point, someone is always going to have a problem with some of the language at some level regardless of how perfect we get it. So just remember that, you guys are perfect.

Further discussions; I hop not?

MS. ROBINSON: Question.

CHAIRMAN THOMAS: Question is called for. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Those opposed same sign.

(No opposing responses)

CHAIRMAN THOMAS: Motion carries. That brings us to Proposal 9. Are we out of Unit 5 yet?

MR. WILLIS: Mr. Chair, Proposal 9 was submitted by the U.S. Forest Service and it requests that the Federal public lands in the Unit 1(B) south and east of LeConte Bay and Glacier be open to the non-subsistence harvest of moose. This is the Stikine River area, which we're all very familiar with because we had proposals dealing with the Stikine area, I think, since this Council was first formed. This is the last step in bringing Federal and State regulations into compliance with each other and instituting the spike-fork, 50-inch brow tine regulation that's been in place on Federal lands to protect the breeding population of moose in the Stikine River valley.

I'm sure you're all pretty much familiar with the situation down there, but just to briefly summarize. About three years ago it was determined that the moose population was declining drastically due to overharvest of bulls. The local State and Federal biologists got together and decided to submit identical proposals to the Federal and the State Board to institute a spike-fork, 50-inch or three brow tine antler restriction to protect the significant breeding portion of the bull population and bring that moose population back to a healthy level.

The Federal Board accepted the Federal proposal on Federal lands, however, the State Board in reaction to some negative testimony from local residents did not accept the ADF&G recommendation, so we wound up with two different regulations on Federal and State lands. As a result of this Federal lands were closed to non-subsistence users in that area and we had duplicate permit requirements, there was both a Federal Registration permit required and a State permit required and only about 10 percent of the land down there is non-Federal land, but we had a number of illegal moose harvested, a number of bulls that did not meet the antler restriction harvested, almost surely on Federal lands, that were claimed to have come from those State lands.

The situation got pretty bad last year and the State instituted an emergency closure to close down all moose hunting on State and private lands in that area. After this, the Board of Game accepted the original proposal from ADF&G to institute a spike-fork, 50-inch, three brow tine antler restriction which matched the Federal regulations applying to Federal public lands. And so that

portion of the regulations were brought into compliance and this particular proposal is designed to take the last step, as I said, and make the regulations identical. We would have the same antler restriction on both Federal and State lands, there would be only one permit required, which is the State permit, and this permit requires bringing in the jaws and antlers of harvested animals so that we get complete biological data on the population.

And we found that the elimination of non-subsistence hunting in the area had no impact at all on the number of non locals who hunted down there, it's almost entirely a local hunt. Again with most of the people who come in from outside or former residents or family members or friends who come in and hunt with subsistence users within the area. So since it did not significantly change the numbers, it was felt that there was no longer a need to institute or to retain that ban on non subsistence hunting and so for that reason we support this proposal.

And the regulation would read: Unit 1(B), south and east of LeConte Bay and Glacier, one antlered bull with spike-fork or 50-inch antler or a three or more brow tines on either antler by State registration permit only. September 15 to October 15.

CHAIRMAN THOMAS: Thank you. Okay. You heard the recommendation, you heard the proposal, you heard the analysis, what's the wish

MS. ROBINSON: Public comment.

CHAIRMAN THOMAS: John Q. Thanks, Mim.

MR. CLARK: John Q. Public has one comment in support of the proposal. The John Q. Public in this case is the Alaska Department of Fish and Game. "The elimination of duplicative permits will reduce confusion and facilitate better, more consistent, data collection."

CHAIRMAN THOMAS: What's the wish of the Council? Thank you.

MR. ANDERSON: Mr. Chairman, I make a motion we accept Proposal as submitted.

MS. ROBINSON: Second.

CHAIRMAN THOMAS: Moved and seconded. Discussion? John.

MR. VALE: Robert, do you anticipate at some point in the future we'll remove this antler restriction? I don't see anything customary and traditional about an antler restriction and this is being in placed as a conservation measure, so I was wondering if we anticipate the moose herd rebuilding to the point where that antler restriction can be removed?

MR. WILLIS: That's a possibility, John, it's probably more likely that it would remain in place and when population is restored to a level where additional harvest can be sustained it would be cow harvest. That's usually what happens in this situation. When your hunting pressure reaches a level where you have to take measures to protect a certain portion of the breeding age bulls, hunting pressure seldom drops to the point where you get out of that system. But you do often reach a point where your population is high enough to allow some cow harvest. So my answer to your question is, it's unlikely that we will ever reach a point where there would not be some type of antler restriction.

One thing we're finding in the Stikine is that area is right on the borderline between what we call the Canada/Yukon moose and the Alaska moose, it's kind of an intergrade area between the two sub-species. The moose in there don't grow antlers as large as they do further north and hopefully with the better data collection we anticipate from having the one permit and the State permit and all the regulations the same, we'll be able to determine how many of those large bulls actually reach 50 inches and three brow tines. And that antler restriction may be changed in the future to a smaller antler if we find that there simply are extremely few animals that ever reach that size in that area.

MR. VALE: Okay.

CHAIRMAN THOMAS: Further discussion? Patty.

MS. PHILLIPS: I have a question. Is the subsistence user required to bring in the jaws and antlers of the harvested animals?

MR. WILLIS: Yes.

MS. PHILLIPS: I got some real concerns when I read this proposal and what was written after it about the low fertility rates, low birth rates, low survival rates. And I made some comments that the government agency of this area will do what is popular to the loudest of public sentiment, rather than what is good for the long term moose population sustainability. The U.S. Forest Service permits formerly authorized the hunting of moose and in order to monitor the resource impact in the area.

And I got the impression that it is the refusal of the -- it's assimilation in reversal, that they are taking the moose as a subsistence, but they don't agree with the interpretation of subsistence so they'd rather come under the sport hunt interpretation. And that we are here to manage the habitat in a manner that will not diminish wildlife populations to the point that subsistence share is diminished. To provide sufficient perpetuation of the resource.

And I guess that's all I -- but in 1994 there was an emergency order -- oh, the issued -- they canceled it, okay. Okay. I misunderstood that.

CHAIRMAN THOMAS: Further discussion?

MS. WILSON: I'd like to read this last on.

CHAIRMAN THOMAS: Okay.

MS. WILSON: Approximately 90 percent of the moose population is located on Federal lands in the areas closed to non subsistence moose hunting approximately three years ago. This is on Page 54. So it seems like what's happening is that the State hunters that get the license to hunt moose go on Federal lands or end up getting it on Federal lands, is that it?

MR. WILLIS: I'm not sure I understand your question exactly, Marilyn.

MS. WILSON: Well, it says in one of these paragraphs that a lot of the moose end up on Federal lands by the time they die because there's not that much State land.

MR. WILLIS: Well, the idea behind changing the regulation, making it the same was so that she could hunt on either Federal or State lands and obviously

there's no boundaries out there to show you exactly where those lands are. And in order to protect the moose population you got to protect this segment of breeding bulls and people were shooting -- with the regulation in place on Federal lands, but not on State lands, people were shooting these middle sized bulls that were supposed to be protected and claiming they came from State lands. Whether or not that was true we don't really know, but since State lands are only about 10 percent of the total it was felt that most of those moose actually came off Federal lands and they were claimed to have been shot under State regulations. So this would be avoided by having the regulations the same.

Almost all the moose that come out of there are shot by the residents of Wrangell and Petersburg and they're all subsistence users who have c&t for moose in that area.

CHAIRMAN THOMAS: Larry, do you have a comment?

MR. ROBERTS: I was just going to provide a little background. The initial reason for this spike-fork, 50 was that there was some problems with populations, we didn't have a good handle on the population of the Stikine River moose. The idea was to shift the spike-fork, 50 to give us some good biological information. Unfortunately with our current regulations it didn't allow for that, that the subsistence hunter didn't necessarily volunteer that information, whereas with this proposal we'll have the ability to collect, in cooperation with the State, the biological data that we need to help manage this particular population. That's the justification, part of the rationale for this proposal.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: That's where I'm confused. Where is the State getting more information with their permit than the Feds are getting with their permit?

MR. WILLIS: The State permit requires bringing in the jaws and the antlers and the Federal Registration permit does not.

MS. PHILLIPS: Well, that's what I just asked you, are they required to bring in the jaws and the antlers under the Federal permit and you said, yes.

MR. WILLIS: Under this proposal they will be, yes.

MS. PHILLIPS: Oh, I see.

MR. WILLIS: This will be -- actually there will be no more Federal Registration permit, only the State permit, and the State permit requires bringing in the jaws and the antlers, so everyone -- it'll be the same people, really, but everyone who's hunting out there whether their on Federal lands or State or private lands will all be operating under the same permit and the same requirement to bring in the jaws and the antlers.

MS. PHILLIPS: But then that would open the hunt to non subsistence?

MR. WILLIS: Yes.

MS. WILSON: There will be a better handle on the number of moose by the population.

MR. ROBERTS: It would be insignificant to the total number of hunters -- it would be an insignificant number of hunters on that -- the Stikine River.

MS. PHILLIPS: It should be a requirement already that they have to bring in the jaws and the antlers under the Federal permit, that's what I'm getting at.

MR. ROBERTS: It wasn't in the proposal.

MR. WILLIS: Yeah, that was an off shoot of the fact that both the Federal and State biologist proposed the same thing to their respective Boards initially and under that proposal there would have been only one permit, it would have been a State permit and there would have been a requirement to bring in jaws and antlers, but because the State Board refused to accept the ADF&G proposal then we had to establish a separate permit, the Federal Registration permit, and it was an oversight in developing that permit that there was an identical requirement to bring in jaws and antlers.

CHAIRMAN THOMAS: Further discussion? Ready to vote.

MS. WILSON: Question.

CHAIRMAN THOMAS: Question been called. All those in favor signify by saying aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Those opposed, same sign.

(No opposing responses)

CHAIRMAN THOMAS: Motion carries. You guys want to do like AFN and adopt these rest as a block?

MS. ROBINSON: Let me look.

MS. PHILLIPS: No. After the next one.

CHAIRMAN THOMAS: Proposal Number 10.

MR. WILLIS: Proposal 10 was also submitted by the U.S. Forest Service and it would create a new management area in Unit 1(C), south of Point Hobart where a spike-fork, 50-inch, three brow tine antler restriction would apply.

And you have a map with your proposal there which shows the Point Hobart area and the Port Houghton area up at the top. The situation you have in Southeast Alaska with moose population is that they occur in more or less discrete populations associated with the major river drainages usually. And they've been expanding their population over the last 20 to 30 years. And while we now have some moose on the Kupreanof and Mitkof Islands and some limited hunting there, the major moose hunting areas are the three areas that you see on your map there, which is the Stikine River Drainage, the Thomas Bay Drainage and the Port Houghton Drainage. Although there is some interchange of animals between Thomas Bay and Port Houghton, so that could be considered the same population.

The situation developed is that with more pressure on the moose herd that it's become necessary to institute antler restrictions to protect a significant portion of the breeding bull population. That's been done on the Stikine area on Federal lands, it was done on the Thomas Bay area on Federal lands a few years ago and the population has responded very favorably in that are to the

antler restriction. That leaves the Port Houghton area, the area south of Point Hobart as the only significant moose population down there in which you can harvest any bull rather than being limited to one with spike-fork or 50-inch or three brow tine antlers. That has placed a significant amount of pressure on the moose population up at Point Hobart which did not exist before. And both of those areas are pretty well accessible, especially to people of Petersburg.

And so the reason for this proposal is to also institute a spike-fork, 50-inch, three brow tine antler restriction on that section described as being south of Point Hobart in order to prevent an overharvest situation of people that would prefer to hunt in an any bull area, concentrating on that are because there's a higher likelihood of success. This would give us regulations which would be constant for all three of those populations and for that reason we support this proposal also.

CHAIRMAN THOMAS: Larry.

MR. ROBERTS: Did you have a specific question, sir?

CHAIRMAN THOMAS: Only if you want to comment on this proposal.

MR. ROBERTS: This really isn't my area, but I'd be happy to respond any questions if you have them.

CHAIRMAN THOMAS: Oh, I see. Well, I guess right now we're ready for public comment.

MR. CLARK: Mr. Chairman, there's only one public comment and that's that the State supports the proposal.

CHAIRMAN THOMAS: Okay. What's the wish of the Council.

MR. ANDERSON: Mr. Chairman, I make a motion we adopt Proposal 10.

MS. ROBINSON: Second.

CHAIRMAN THOMAS: It's been moved and second to adopt Proposal Number 10. Discussion?

MS. PHILLIPS: Mr. Chair.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: I'm wondering why they're drawing -- I feel like they're drawing arbitrary lines. Because such as Windham Bay is just up a little bit further and what's to say a hunter can't claim shooting a no restriction moose in LeConte -- in Windham Bay or shooting one in Port Houghton, a no restriction moose in Port Houghton and say they got it in Windham Bay or one of the other bays that have no restriction? If there's a population problem then maybe we should be administering the spike-fork requirement across the area, 1(B), all across 1(C).

MR. ROBERTS: It sort of works in the reverse as well, Patty, because there's some concern, too, that somebody might make a mistake in Thomas Bay and then say that they took the animal in this Port Houghton area, so there could be a problem

CHAIRMAN THOMAS: I don't think that's anything within anybody's control.

MR. ROBERTS: Right. That's correct.

MS. WILSON: Mr. Chair.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: This Port Houghton area, isn't that the -- we got something in the mail about it, logging that's going to happen there? Will that affect moose population or the hunting on there?

MR. WILLIS: I can't really answer your question, Marilyn, because I'm not familiar with what is proposed up there. I probably could add in response to what Patty said that the idea generally is to be as non-restrictive as possible in establishing regulations and wherever you feel comfortable in allowing harvest of any moose to make it easier on the moose hunter you do so. It's only when you get in a situation where there's a need to protect populations with more restrictive measures that you institute those restrictions. And that's one good reason for not making a sweeping blanket coverage of all moose hunting in that unit with the same regulation.

CHAIRMAN THOMAS: Further discussion? Patty.

MS. PHILLIPS: Well, it's just in that last proposal they were saying we want consistencies and, you know, they're setting an arbitrary line, State land/Federal land and we got arbitrary lines three different places now and it just seems confusing to me.

CHAIRMAN THOMAS: You want to change that?

MS. PHILLIPS: I hadn't thought of that.

CHAIRMAN THOMAS: John.

MR. VALE: Robert, are there any other alternative management schemes in that area there to address the conservation concerns without the antler restrictions?

MR. WILLIS: Nothing that's been shown to work as well, John. Obviously you can restrict the harvest in a number of ways, but the antler restriction has been shown to be the most effective in allowing all the users that want to hunt to hunt and still protecting a significant portion of breeding age bulls. Other restrictive measures could be instituted, but they usually encompass either quotas on the number of bulls harvested or limitations on the number of people that can participate.

The spike-fork, 50-inch, three brow tine system is a self limiting system in that there are only a certain number of legally harvestable moose out there. So everybody in Petersburg that wants to hunt moose could go hunt moose and everybody in Wrangell that wants to go hunt moose can go and hunt moose and they're not going to shoot too many bulls because there's a limit on the number of legal bulls that are out there to shoot. That's the beauty of it.

And it's self regulating in that if you have a bad winter and you have very poor calf survival you're not going to have any yearling bulls to speak of in your population that fall, so the spike-fork yearlings that you can harvest there's going to be very few of them, so you know, you're not going to knock down the

population. And the old bulls are the same situation. You lose more old bulls, large antler bulls after a hard winter, so whereas after a mild winter their might be 100 legal harvested bulls in an area. After a bad winter they're not there might be only 50 and so your harvest would be limited by the number of legal animals out there, whereas your middle class bulls that you want to protect are the ones most likely to survive those winters and they're protected by regulation.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: In this book you're just talking about antler restriction in these squares? Or are you say from Point Hobart down? That's what I don't understand.

MR. WILLIS: Well, the squares are just for your reference. The legal descriptions of the areas are contained in the regulations themselves. I just - I drew those squares on a map just so people could see roughly the areas we're talking about.

MS. PHILLIPS: That's what I thought the arbitrary lines were, so I guess I messed up.

CHAIRMAN THOMAS: They're just point of reference.

MS. PHILLIPS: Okay. That's clears it up.

MR. WILLIS: Okay.

CHAIRMAN THOMAS: Further confusion? Further discussion?

MR. GEORGE: Question.

CHAIRMAN THOMAS: Question been called. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed say no.

(No opposing responses)

CHAIRMAN THOMAS: Motion carries. Time for a commercial break. We're going to eat at 5:00 o'clock sharp. If we're done by then, we're done, if we're not we'll finish after the activities. Name your poison.

Proposal 11.

MS. PHILLIPS: Mr. Chair.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: Move to adopt Proposal 11, 12, 13 and 14.

MS. ROBINSON: You don't want to do that.

MS. PHILLIPS: Move to adopt 11.

MS. ROBINSON: You don't want to do that, 13 and 14 are basically taken care of by the change that we did to Proposal 5.

CHAIRMAN THOMAS: Okay. Chair entertains a motion regarding Proposal 11.

MS. ROBINSON: I'll second adopting 11.

CHAIRMAN THOMAS: Discussion on Proposal 11? Oh, no, we got to hear some public comments, analysis, everything, staff report. We're way ahead of you, Rob.

MR. WILLIS: Fine with me.

CHAIRMAN THOMAS: Sorry about that.

MR. WILLIS: Go right ahead on.

CHAIRMAN THOMAS: We're a smooth sailing operation.

MR. ROBERTS: Okay. I got a public comment. Okay. Under Proposal 10, the ADF&G are in support

MS. ROBINSON: Eleven, we know about 10.

MR. ROBERTS: Oh, 11, I'm sorry. Under Proposal 11, they're in support, basically the same wording, eliminating conflicting requirements for -- reduce confusion and reduce enforcement problems. This change will also provide more hunting opportunity. That was again from the Alaska Department of Fish and Game.

CHAIRMAN THOMAS: Okay. Thank you. We'll let Rob introduce us to the proposal.

MR. WILLIS: Which proposal are we on now, Mr. Chair?

CHAIRMAN THOMAS: Eleven.

MS. ROBINSON: Eleven.

MR. WILLIS: Okay.

CHAIRMAN THOMAS: Twelve, 13 and 14.

MR. WILLIS: Okay. Proposal Number 11 would open the moose season in Unit 3 which is Mitkof and Wrangell Islands, the moose hunting area, earlier, it would change the season from October 1 to October 15 to September 15 to October 15, which would make it consistent with the State season.

This is one of the areas where moose have been colonizing for the last 20 or 30 years gradually, and spreading out and increasing populations. We got an estimated total allowable harvest of about 20 bulls and I don't think we've quite reached that yet in harvest. Wrangell Island has been opened to moose hunting for about five years now. Mitkof for about the same time and almost all your hunters in that area are from -- are local users from the Petersburg area and elsewhere on Kupreanof Island.

All of Unit 3 was open in 1992/93 under State regulations and there was also some harvest on Kupreanof Island reported by residents of Petersburg and Kake at that time. So, again, we got another more or less local moose hunt, the population has been expanding. The State has, in their survey work, has decided that there's sufficient moose there to open the season earlier and since the

Federal regulations generally try to be no more restrictive than the State regulations and this proposal was designed to bring Federal regulations into compliance with the State regulations and provide some additional harvest opportunity for the subsistence user. And so we support adoption of the proposal.

CHAIRMAN THOMAS: Okay. You heard the proposal, any questions? Any recommendation; what's the wish of the Council?

MR. VALE: Mr. Chair, we already moved to adopt, did we not?

MS. ROBINSON: Yes. Call for the question. Oh, you had a question?

MR. VALE: Sort of a question. I assume that most of the moose all in here probably came down the Stikine Drainage and they're all probably similar in genetic make up. Is there going to be an effort made, as you mentioned earlier to look at potentially reducing the antler size as long as, you know, we're maintaining a healthy population? I was just wondering if that's official, because I'm just a little bit concerned about the 50 inch antler spread. And I just compare it to the moose in Yakutat area, which I think are very similar in size, and we have very few that have over 50-inch antler spread on them. And I'm just concerned about this level of restrictions and so I just want to know if we're definitely going to have some kind of analysis that looks into that or not?

MR. WILLIS: I wish we had the ADF&G biologist here. Some of those areas, I guess -- is Ed Crain still in the room? Well, that's unfortunate. It's been talked about and the reason for standardizing on the State permits, which requires bringing in jaws and antlers was for that purpose. Or that was one of the purposes for doing that. There's been a lot of comment over the last few years that the 50-inch antler restriction was too severe, that not very many bulls would ever reach that size in this area and, yes, definitely there will be an attempt made to determine where that cut off should be if not at 50 inches. Fifty inches is pretty standard in the rest of the state, but as I said, we're getting down here into the intergrade situation with a small species of moose that comes from Canada and so I can assure you it will be looked at on both Federal and State side.

MR. VALE: Okay. Thanks.

CHAIRMAN THOMAS: Further discussion?

MS. ROBINSON: Question.

CHAIRMAN THOMAS: Question is called. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed same sign.

(No opposing responses)

CHAIRMAN THOMAS: That motion carries. On to

MR. FELLER: Mr. Chairman.

CHAIRMAN THOMAS: John.

MR. FELLER: Yeah, I'd like to announce that that racket in the back of the room there is four women there, Marlena Wallace and Meg Daily, Carol Britton, my mother, Meg and my brother Willie, they preparing a dinner for us, it'll be ready at 5:00. It's (indiscernible) soup, which is a rich man's soup and seaweed, black seaweed, fried bread, roast king salmon, cracked crab salad, fried hooligan and mixed fruit compote. That's for a \$5,00 minimum donation to Alaska Native Brotherhood Camp Number 4. Thank you.

CHAIRMAN THOMAS: Five dollar minimum, let your conscious be your guide you know.

Have we've done Proposal 12?

MR. VALE: Yeah.

CHAIRMAN THOMAS: Where's it at?

MS. ROBINSON: It's not in the book, that page is missing, but if you have your purple one it's in that. And it's next to -- the last two proposals are John's, right? Or the last

MR. VALE: The next one is.

MS. ROBINSON: The next one is, the other one is the Yakutat Tlingit Tribe. And they're both dealing with ceremonial pot latches and we covered that under Proposal Number 5. The last two.

MR. VALE: No, this isn't dealing with pot latches.

MS. ROBINSON: The last two I'm saying, the last two ones in the book here are dealing with

CHAIRMAN THOMAS: Do you have 12 there, Rob?

MR. VALE: I don't think they are.

MS. ROBINSON: You don't think they are?

MR. VALE: No.

MR. WILLIS: I think you're mistaken, Mim.

MS. ROBINSON: Okay.

CHAIRMAN THOMAS: I doubt that.

MS. ROBINSON: I read through it too fast then, okay.

MR. VALE: Proposal 12, take them one at a time.

CHAIRMAN THOMAS: Okay. Twelve, Robert.

MR. WILLIS: Proposal 12, which was submitted by John Vale, would provide a November the 15th to February 15th season for moose of either sex on the Nunatak Bench in Unit 5(A). And the season would be closed when five moose had been taken.

If you'll look at the last page of your proposal analysis you'll see a small map which shows where the Nunatak Bench area is located in relation to the community of Yakutat. This is a rather small and isolated moose population which is -- in the past it's been influenced by the advance and retreat of the Hubbard Glacier. Part of the time when the glacier has retreated there's an area that's down close to the Russell Fiord, which is exposed and the moose use this area. Back in '86 and '87 the glacier advanced, backed up the waters of Russell Fiord and flooded out the area and forced the moose out. Since then the glacier has retreated and allowed the moose to recolonize that area. So there is a small population there with a harvestable surplus now.

The State currently has a season which is identical to the one proposed in the Federal subsistence management regulations. And this has traditionally been a localized hunt, as John can tell you. It's a winter hunt, very difficult to get into there if you don't start from Yakutat and even then it's a serious endeavor to go in there and hunt moose. And it's unlikely, really, that the five moose would be taken, at least, on an average basis, I would think, out of that area.

So this particular moose population is never going to be very large. On the other hand, it is large enough to sustain the small harvest that's requested by this proposal. That last survey we had by ADF&G was in the winter of '94 and they indicated there was approximately 50 moose in that area, so five moose would be 10 percent of that population which is a rule of thumb that we use for determining what can be safely harvested.

So this -- the return of the moose to the Nunatak Bench provides another subsistence opportunity and we support the proposal to take advantage of it.

CHAIRMAN THOMAS: What's the wish of the council?

MS. ROBINSON: We need public comment.

CHAIRMAN THOMAS: Public comment.

MS. MASON: The one commentor on this proposal was ADF&G and that comment was: To support with modification. They requested if the proposal was adopted, that a State permit be used. The justification was that the elimination of duplicative permits will reduce confusion and facilitate better, more consistent harvest data collection.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: I'm wondering, Robert, how the Federal government feels about that? Change this from Federal registration to State?

MR. WILLIS: I see no problem with it. I see an advantage to it. We're trying to eliminate as many duplicate permits as possible and I wasn't aware until Rachel read that that we were back in the situation of having two permits again.

MS. ROBINSON: Okay. Did we adopt this yet?

MR. VALE: Move to adopt.

CHAIRMAN THOMAS: It's been moved.

MS. ROBINSON: Second.

CHAIRMAN THOMAS: Second. Discussion?

MS. ROBINSON: Move that we amend the proposal to say Federal or State registration permit only instead of Federal.

MR. VALE: Second.

CHAIRMAN THOMAS: You heard the amendment, second.

MS. ROBINSON: Question.

CHAIRMAN THOMAS: Question. All those in favor.

VARIOUS VOICES: Aye.

MR. VALE: On the discussion portion of it, when I submitted the proposal it was my intention to have it be by State registration permit and I was surprised when I saw Federal registration permit in there. I went back and reviewed my proposal that I said was registration permit. So my intent was for it to be by State registration and the reason for that is because the State did go up there and survey the conditions and opened it up on an initiative that was put forward by us and to sort of concur with what Robert said, the area is an extremely rugged environment up in there to try and access it you have to get by the Hubbard Glacier, which is three miles wide and 350 high from the base of the glacier. And the tidal narrow path in there it's about 100 yards wide and it's about 50 miles up the fiord and the current is tremendous going in and out of there and there's icebergs and it's extremely dangerous. And the weather funnels through there and all those things, the time of year and everything make it so that really all that you're going to have participating in there are Yakutat residents, so I don't personally see a need for Federal registration permits. I'm in full support of it being a State registration permit.

MS. ROBINSON: That's good because we adopted it.

CHAIRMAN THOMAS: That's been adopted, so it's a good thing. Okay, that was the amendment right?

MS. ROBINSON: That passed.

CHAIRMAN THOMAS: That passed. Now we're on the motion as amended.

MS. WILSON: We voted on it?

MR. VALE: No, we didn't vote on the amendment.

MS. WILSON: We didn't vote on it.

MS. ROBINSON: I thought we did.

MR. ANDERSON: I thought it was all over with.

CHAIRMAN THOMAS: We took a vote.

MS. ROBINSON: I thought we already voted on it.

MR. ANDERSON: Yeah.

CHAIRMAN THOMAS: Yeah, we did.

MS. ROBINSON: We did.

MS. PHILLIPS: You didn't see if there was any opposition though.

MR. ANDERSON: And then John interrupted us out of order.

MR. VALE: Maybe I jumped in there.

CHAIRMAN THOMAS: If there's no opposition, let's try to cut our dissertation to a minimum.

MS. WILSON: What did we adopt here?

MS. ROBINSON: To make it State permit rather than Federal registration permit.

MS. WILSON: And Federal?

MS. ROBINSON: No, just the State.

CHAIRMAN THOMAS: Just the State.

MS. WILSON: Oh, okay. I thought you said both.

MS. ROBINSON: No. No.

CHAIRMAN THOMAS: Okay. The main motion is amended. Further discussion?

MS. ROBINSON: Call for the question.

CHAIRMAN THOMAS: The question has been called for. All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: Opposed?

(No opposing responses)

CHAIRMAN THOMAS: That motion carries. That'll take us to 13.

(Indiscernible -- too many people talking at once)

MS. ROBINSON: Except that was dealing with the date.

MR. WILLIS: Okay. Right. Proposal 13 submitted by the Yakutat Tlingit Tribe would provide for year round subsistence moose hunting for the taking of up to 10 moose of either sex for ceremonial uses in Unit 5(A).

I'm sure you all remember that last year we got a proposal move to have the ceremonial moose season in Unit 5(A) and -- actually the year before, I guess. Last year was the first year of implementation. This would change it and make it a year round season rather than being limited to the period August 1 to December 1, which was the original proposal that was passed the year before last.

I don't know how much detail I need to go into about this since everybody is pretty familiar with it. John, how many moose did we have harvested?

MR. VALE: Six.

MR. WILLIS: Six. Six moose were taken last year under this proposal and the only concern that's been raised about extending the season from August 1 - December 31 to year round is the usual concern that you have about shoot females during the spring and summer months, especially females with young. Because you lose not only the female, but the calf or calves also. With a limit of 10 moose whether or not this would be a problem is something that's really hard to say. I would assume that nobody is going out to shoot a moose would deliberately shoot a cow with a calf and would, in fact, would make every effort to avoid doing so and for that reason we felt that that was not a serious concern in this case and we have no objection to extending that season to make it year round since we already have the 10 moose limit.

And I guess Mim's proposal to go region wide would also cover this and --

MS. ROBINSON: It takes care of it.

MR. WILLIS: possibly negate the need for it at all.

CHAIRMAN THOMAS: Okay. Public support.

MS. MASON: Well, there's two comments and both are opposed. One is from ADF&G and that one says that adding the additional stress of hunting under the rigors of winter, natural predation and calving is undesirable and would increase the impact of the hunt on the population beyond the number of actual moose taken. Ample opportunity currently exists to take moose, freezers are common and residents eat moose throughout the year. The current 60-bull quota is viewed as the total allowable harvest from this population and any moose taken at this time of year will be considered part of the quota.

This comment mentions that the Board of Game will be considering a proposal for some ceremonial use of game and the State suggests a general regulation for this activity rather than separate set of regulations for each area. They state: Ideally Federal and State regulations would provide consistent regulations for ceremonial or religious use of wildlife.

And then there's another comment from Joe Sonneman in Juneau who says: I know of no absolute standard that would require that moose must always be available, especially when hunting itself always has some element of chance in it.

CHAIRMAN THOMAS: What's the wish of the Council?

MR. VALE: Move to adopt.

CHAIRMAN THOMAS: It's been moved to adopt.

MS. ROBINSON: Second.

CHAIRMAN THOMAS: Moved and seconded. Discussion?

MS. WILSON: Mr. Chairman.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: This is that other proposal that we passed that the State of Alaska changed, we changed that. Wouldn't that take care of this whole thing?

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: It would, but it wouldn't hurt to go ahead and adopt this anyway in case they decide not to deal with that proposal. It's not going to hurt to pass this for that reason.

MS. WILSON: I think 10 moose is too much. That's an awful lot of moose.

MS. ROBINSON: Big community.

CHAIRMAN THOMAS: John.

MR. VALE: Presently the Department is estimating a little over 900 moose on the Forelands, so that's a pretty sizable moose population that you can draw this on. With regards to the concerns about shooting cows accompanied with calves, I think that can be addressed in an educational manner through trying to encourage people to observe the animals long enough to make sure they're not accompanied with calves. And with lots of time and no pressing for time and a fairly abundant supply of animals I think that's an easy task to accomplish, so I -- while I can understand the concern I don't think it's a real factor here.

CHAIRMAN THOMAS: I agree with John. One thing, as I work as an advocate for subsistence use in Alaska one thing I'd like to demonstrate is a responsible approach to this whole scheme. And I would be amongst the leaders to interfere with any kind of violation with the use of subsistence in its truest form. If there's a violation then it's not subsistence, it's like any other regulation, so I wouldn't build in protection on it. There's laws that hand violation of a regulation.

Further comments? John.

MR. VALE: Just one last one in response to the Fish and Game's comments about these moose being counted against the quota. The original proposal sought to have cows made available for this program because there's no harvest strategy on cows and there's quite a large number of them on the Forelands that could quite easily sustain this harvest. However, the Federal Board when they passed this proposal they chose not to limit it to cows, they left it open to both bulls and cows.

However, we do want to see cows targeted under this program and this last year three of the six moose that were harvested were bulls. And I don't think people were really aware that the idea was to try and target cows. And so the Department counted those bulls against the quota, and I think rightly so, because they're managing moose population based on a certain number of bulls being available for harvest and whether they go to this program or another program I think that they should, in that manner, they should count them against that quota.

However, if

CHAIRMAN THOMAS: It sound like this is going to pass, John, I think we ought to vote on it.

MR. VALE: This is for Fish and Game's sake.

CHAIRMAN THOMAS: Well, you can discuss it afterwards.

MR. VALE: I do strongly feel that any cows taken under this program should not be counted against this bull quota and so that's it.

CHAIRMAN THOMAS: Gabe.

MR. GEORGE: I speak against the motion, I don't think we should be putting numbers down as to how many -- put a quota on how many ceremonial anything should be out there, so it's basic to me that I vote against that. I think we took care of it under the proposal that we used as a substitute and it addresses, you know, the use of wildlife and all, so I speak against this motion.

CHAIRMAN THOMAS: Further comments? John.

MR. VALE: Just one. The proposal addresses the dates and not the 10, the 10 has already been established and so the proposal just expands the dates from January 1 to December 31 from August through December, so that's what the proposal does, it speaks to the dates.

CHAIRMAN THOMAS: John.

MR. GEORGE: Mr. Chairman.

CHAIRMAN THOMAS: Give Mr. Morrison an opportunity here.

MR. MORRISON: Thank you. I believe that the Council would do well to consider this final paragraph which parallels what you did earlier on Proposal 5 in looking at the State's potential regulation. It would also accommodate the concern about putting a number on how many moose. As we pointed out, you know, if you pray more than 10 minutes, as somebody pointed out, that would be illegal and this seems to fall into that same concept. But the main point I'm making is that if the State Board of Game adopts the proposal that was discussed earlier, which it probably will, if I'm able to guess correctly, it would accommodate both the season length that's proposed here as well as do away with this quota. Although that would be applicable not only to State land, it would also accommodate Federal land as well. So it's something to think about in coming to a conclusion on this.

CHAIRMAN THOMAS: Okay. Thank you. Further discussion?

MR. VALE: Question.

CHAIRMAN THOMAS: Question is called for. All those in favor say aye.

ALL BUT MR. GEORGE: Aye.

CHAIRMAN THOMAS: All those opposed?

MR. GEORGE: Aye.

CHAIRMAN THOMAS: A resounding passing on that one. Motion carries.

MS. PHILLIPS: Move to dinner recess.

MS. ROBINSON: We have one left.

CHAIRMAN THOMAS: Okay.

MS. PHILLIPS: I made a motion.

CHAIRMAN THOMAS: Let's finish this up and if you got a lot of discussion, don't do it. I'm talking for or against the motion. We're talking for or against, we're not talking about the merits of it.

MS. WILSON: Proposal 14.

CHAIRMAN THOMAS: Fourteen.

MR. WILLIS: Proposal 14 was submitted by the Alaska Native Brotherhood. It would open the Federal subsistence moose hunting season in Unit 5(A) on October the 8th rather than on October the 15th.

Currently we have a season October 15th to November 15, antlered moose only in Unit 5(A) with the exception of the Nunatak Bench area that we mentioned earlier. The season is closed with 60 antlered bulls have been taken, and only 30 of those can be taken west of the Dangerous River, which is the area that is the road system. That's on the Yakutat side of that river. The east side of the river is relatively inaccessible and much more difficult to hunt.

We passed the two related proposals in this are, Proposal 12 created the moose seasons on Nunatak Bench and Proposal 13 changed the ceremonial moose to a year round hunt without changing the number of moose.

I guess John's already mentioned that we have a pretty significant population of moose in that area and it's come up some over the last year. The estimate right now is about 930 moose and that's up from about 825 from the last estimate, so the population seems to be pretty healthy and expanding. Again, the only -- I guess there are two things to look at here, one is that I wanted to be sure that everybody understood or was sure that the proposal would do what it was intended to do and that's the reason for bring this map right here up.

I think 68 percent or say two-thirds of the total harvest of moose in the unit goes to the residents of Yakutat. And out of those 30 bulls that come from west of the Dangerous River, it's much higher than that, I think it's almost all of them that are taken on the road system go to residents of Yakutat. There is a subsistence priority established in this area by allowing Yakutat residents to hunt for a week prior to the opening of the non=subsistence hunting season. Of course, this applies to Federal lands only and that's where the only problem comes in that I can see.

If you look at this map here you'll notice that the white area around Yakutat, that's not Federal lands. There are nine townships there that are overselected lands of the Sealaska Corporation and they're managed under State regulation. It's not well known, but the non-subsistence hunter can come in and hunt on that land as the same time as the subsistence hunter. This week jump on the season would become a two week jump if this proposal is passed. It applies only to Federal lands and not to that big white area that you see around the community of Yakutat.

So from a biological perspective, it make very little difference. You have a 60-bull quota in place and that's not going to change. Thirty bulls west of the Dangerous River is not going to change. The only biological concern here is a potential concern and not one that you can really hang your hat on, is that backing up to October 8th puts you in the rut and that's -- I'm sure that no moose hunter in their right mind would deliberately go out and shoot a mature bull during the rut because the meat would be pretty rank. And I wanted to be sure that this was something that was considered and developed in this proposal, to back the season up and open that early in October.

The only biological concern is that if you do shoot a mature bull during the rut, a bull that has a harem of cows, it's going to take a day or two at least for those cows to find another bull. They're in estrous when they can be bred for only 24 hours at a time and if they cycle out of estrous before they can find another bull it's a full month, about 28 days, before they cycle into estrous again when they can be bred, so a cow that's not bred in that first estrous cycle doesn't get bred until the second estrous is going to produce her calves a month later in the summer, which means it goes into the winter smaller and weaker than it would have if it had been bred in that first estrous and has less chance of survival.

Whether or not that is a sufficient concern here to not back up the season, I don't know, it's one of those things that you know, it's -- you know, it's not really a good idea to be shooting mature bull moose during the rut because of this disruption in the rut. On the other hand, how many would actually be taken during this period of time it's really impossible to predict, especially when any moose hunter knows that you don't want to shoot a bull when he's ripping around during the rut, he's just not going to be fit to eat.

So that's the only biological concern that I bring up and, as I say, it's not a strong enough concern to say, no, we don't support this proposal, but it is something to consider.

The other thing to consider is the land status, as I mentioned, and pointed to on the map there. Something -- it's not really related to biology or a cultural moose, either one, but sometimes when you change a regulation where you have different -- in this case a different Federal and State regulation you call attention to an area. And right now there's a small number of non-subsistence users who are aware that they can come in and hunt around Yakutat at the same time that the local people can. If you call attention to that you may attract additional people to that area who are not now coming in and hunting during that period, so this is something that the local people need to decide. And I guess, John, hopefully you've talked to them about this, as to whether or not the gain of being able to hunt that extra week early on Federal lands is going to be worth risk of drawing attention to the fact that there's a big area right around Yakutat which is open to anybody.

And with that I guess I'll close the analysis and say that we've got a healthy population there, it's expanding, we have a quota on the number of bulls that can be harvested, so I'm not overly concerned that this proposal would be detrimental to the resource. I do have some concern about shooting bulls during the rut and disrupting the breeding cycle and causing late born calves in the summer. And I kind of have to leave that to you to decide how strong you feel about it.

CHAIRMAN THOMAS: If it isn't happening now, it shouldn't happen then, knowing people as they are.

MR. VALE: What do you mean?

CHAIRMAN THOMAS: If it's going to happen, it would be happening now, the shooting.

MR. VALE: I still don't quite follow you.

CHAIRMAN THOMAS: You live in Yakutat and still don't understand that? Who's up there to police you guys? Patty.

MS. PHILLIPS: They're filling the 60 antler bull quota, aren't they under the current October 15th through November

MR. WILLIS: The quota has been reached only once since they went to 60-bulls, Patty. It usually runs around 50-55. They always get the 30 on the west side of the river where the road system is and that usually happens in a few days.

MS. PHILLIPS: What was the take last year?

MR. WILLIS: Let's see. I should have that somewhere.

CHAIRMAN THOMAS: (Indiscernible -- simultaneous speech and kitchen noise)

MR. WILLIS: John, do you remember -- I have that, I can dig it out, I think it's in that pile of stuff to weigh

CHAIRMAN THOMAS: Let's find this information out while we're eating. Okay. What's the public say on this?

MS. MASON: There was one comment, it was from ADF&G in opposition, I'll just read it really quick. "Current Federal regulations allow only local residents to hunt during the first week of the season. Local residents take most of the moose and the current management scheme has essentially eliminated nonlocal hunting west of the Dangerous River and provided ample opportunity for local residents to hunt and obtain moose meat. Opening the season a week earlier would have hunters pursuing moose during an active period of the rut when bulls are more vulnerable. The proposal would not allow hunters to hunt in nine townships west of the Dangerous River, close to Yakutat, because they are not Federal lands."

MR. WILLIS: Patty, in answer to your question, there was a total of 50 killed last year including the three ceremonial bulls that John mentioned earlier. Out of those 50, 40 of them were killed during that first week of the season and 34 of those 40 were taken by local hunters.

MS. PHILLIPS: Thank you.

CHAIRMAN THOMAS: Okay. What's the wish of the Council?

MR. VALE: Move to adopt.

CHAIRMAN THOMAS: Moved to adopt, is there a second?

MS. PHILLIPS: Second.

CHAIRMAN THOMAS: Second. Discussion only if you're going to oppose.

MR. VALE: Well, I want to give you a little local input.

CHAIRMAN THOMAS: Well, let's do that afterwards, if you're going to oppose -- we'll have input later. If you're going to oppose to the motion, then let's speak on it.

MS. ROBINSON: I don't know how I want to go on this, so it would be helpful for me to hear what John has to say about. John, as long as you don't go on too, too long.

CHAIRMAN THOMAS: It's hard to break up old families.

MR. VALE: Well, I -- to be honest with you, I was reluctant to support this one myself and the reason for that is we talked about moving the season date up quite a few times in the past and it never had any support locally by those people involved in our discussion, primarily the advisory committee.

However, at the meeting we held here a couple of weeks ago after discussing it there was a consensus amongst those present that it would be okay to go ahead and open the season up on the 8th, with the understanding that it wouldn't include those areas of State and private lands. They felt that there could be some additional opportunity, so I'm, you know, I guess reluctantly going along with it. I think I'm probably going to hear a lot of protests and stuff from other people in the community, a lot of people were happy with that October 15th date.

The only other thing that I would say about it is that presently it operates under a State harvest ticket and registration permit and Federal lands are closed in the green area there for seven days, October 15th to October 22nd. Well, what this would do by opening it up on October 8th is that it would require a Federal registration permit because the State's season doesn't open on the 8th. And so it would require a Federal registration permit on the 8th through the 21st and then after that you would have to have a State registration permit, so you end up with a dual permit system that would have to come into place. So I just wanted to point that out that that's something that would occur as a result of this. Like I said, personally I'm not particularly happy with it, but I'm going to go along with what the people wanted at the meeting and that was supported, so that's where I'm at.

MS. WILSON: Mr. Chair.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: Why is there no figures on how many moose Yakutat will -- Yakutat people get and people that come in for -- from other towns? There's no figures here. Because there's a notation that says that the existing moose hunts do provide enough meat for the local, the community subsistence needs.

CHAIRMAN THOMAS: John. Patty first.

MS. PHILLIPS: No, go ahead.

MR. VALE: There is a perception that because of the area that's in white down here, the overselections which is the Situk Drainage, which I think you can call the bread basket of subsistence for Yakutat. And there's a lot of hard feelings about that area which is overselections, it's Federal land, but it's not included in the closure of public lands and I think that was thing that they

were trying to get at there. They thought by opening the season up earlier it would allow a season in that area and -- which was open to all residents or whoever took part in it, not just local residents, however.

And in this last season, for example, there were three moose harvested in that area by nonlocals, so all they're really accomplishing is perhaps gaining through three moose. I think there's a perception that there was more than that going out to nonlocals, but I don't really think that perception is valid. However, we discussed all this at this meeting and the feeling was by the proposers that by having seven additional days before the -- or 14 days before the start of the -- really seven days because the State's would open up on the 15th, it would provide additional opportunity to local residents and so recognizing all that, they still wanted to see the season open on the 8th, so that's where we're at.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: By putting it to Federal registration then that brings it under Federal c&t so that would be only residents of Unit 5(A)?

MR. VALE: Yes.

MS. PHILLIPS: So what we're doing is extending the local season?

MR. VALE: Yes.

MR. WILLIS: That would be true whether it would be Federal registration permit or not, but the fact that, as John said, that there is no -- you wouldn't be able to hunt under a state permit during that early period, you would have to have a Federal permit.

CHAIRMAN THOMAS: Does everybody know how to vote now?

MS. PHILLIPS: Why couldn't it be instead of October 15th -- October 8th to November 15th be October 15th to November 22nd? Then you're getting out of that rut.

MR. VALE: Well, the main reason for that would be that the quota on the western side of the Dangerous would be pulled in the first, probably three to five days of the season and that area would be closed. And so what they really want to do is extend opportunity in that area west of the Dangerous. If you look at that lake in the middle there, it says the Dangerous River, you can see it written out there.

MS. PHILLIPS: Right.

MR. VALE: You split that area in half, what it does really effectively do is it give seven more days of opportunity in the green area that you wouldn't have if you put it on the end of the season because the quota would be reached and the season would be closed.

MS. PHILLIPS: But, John, he just told us that 40 were killed in the first week.

MR. VALE: Yeah.

MS. PHILLIPS: So giving them another week, they'd still have to get on the other side of the river.

CHAIRMAN THOMAS: If I was the cooks I'd throw you guys out of here.

MS. PHILLIPS: I tried to get you to recess.

CHAIRMAN THOMAS: It sounds like it.

CHAIRMAN THOMAS: Do you guys know how to vote? The Chair will entertain the question.

MR. VALE: Question.

CHAIRMAN THOMAS: Question is called for. All those in favor say aye.

MR. VALE: Aye.

MR. ANDERSON: Aye.

MS. ROBINSON: Aye.

MS. WILSON: Aye.

MR. KITKA: Aye.

CHAIRMAN THOMAS: Those opposed.

MS. PHILLIPS: Aye.

MR. FELLER: Aye.

MS. RUDOLPH: Aye.

MR. GEORGE: Aye.

CHAIRMAN THOMAS: Show of hands. All those in favor raise your right hand.

(Mr. Vale, Mr. Anderson, Ms. Robinson. Mr. Wilson and Mr. Kitka raised their hand)

MS. ROBINSON: Herman had his hand up.

CHAIRMAN THOMAS: All those opposed. One, two, three, four.

(Ms. Phillips, Mr. Feller, Ms. Rudolph and Mr. George raised their hands)

(Reporter note: To find out who voted no on this proposal, I went around and polled the Council members until I had four no votes.)

CHAIRMAN THOMAS: Five, four, motion passes.

MS. ROBINSON: Chair, we never did anything with this letter, this draft.

CHAIRMAN THOMAS: Just take it home and comment to him by Friday.

MR. VALE: Are we coming back in order after we eat?

CHAIRMAN THOMAS: Nope, we're done.

MR. VALE: I still wanted to address the steelhead.

MR. CLARK: There's still a few things on the agenda.

CHAIRMAN THOMAS: Yeah, were are coming back.

MS. PHILLIPS: Move to recess.

CHAIRMAN THOMAS: Yeah, we are coming back.

(Off record)

(On record)

CHAIRMAN THOMAS: Those that aren't in your chairs are going to be fined five bucks, just like ANB.

MR. ANDERSON: There you go.

CHAIRMAN THOMAS: Okay. Is Ms. Marlana Wallace in the house? The honorable Marlana Wallace. The distinguished Marlana Wallace. Her highness Marlana Wallace. Her excellency Marlana Wallace. What did I leave out, Marlana?

(Off record comments -- getting Ms. Wallace a microphone)

MS. WALLACE: Thank you. I'm so happy to be with all of you people we've heard about so much and we wondered and wondered when we would ever have an opportunity to say what we really want, what we really think should happen. I have one opinion only, I will make it short. And that is that I think they're making a mistake with what they're doing. I like it the way it is because in Wrangell most all of us get along just wonderful with all our neighbors. As a matter of fact if it's subsistence, our subsistence comes from the new people that moved in with us. We have non-native neighbors and we get more help, we get more subsistence food, real good food, that is they don't give us what's left over or what they don't want. They share with us. Whenever anything changes we get the equal amount and we never ask for it. I always ask to pay for it, but they are and have been wonderful.

These are the people that have been here second generation and third generation of non-natives and I think our place should be left alone because I think every district is different. There are some villages that have just our own Native people that would be absolutely different than how we feel about it here. We share and share a like.

Thank you.

CHAIRMAN THOMAS: Thank you, Marlana. Thank you very much. Let me clarify something, maybe it'll make you feel better. Marlana, there's nothing that we're doing here that's going to change anything that's in Wrangell now because Wrangell is considered a rural area, everybody that lives here is eligible, everybody. Not just the Indians, everybody.

MS. WALLACE: Good.,

CHAIRMAN THOMAS: Yeah. So don't worry, be happy. But we really appreciate everything you've done here, thank you for your concern and thank you for sharing it with us.

MS. WALLACE: Thank you.

CHAIRMAN THOMAS: Let's give Marlana a hand.

(Whereupon a rousing round of applause was delivered)

CHAIRMAN THOMAS: Okay. The first thing on our agenda tonight is concern regarding steelhead that John Vale has brought to my attention and I'm going to let him take the lead and share that with you.

MR. VALE: Thank you. I just want to give the Council a little background on this issue and for future reference. And I passed out earlier a resolution from the Yakutat Tlingit Tribe, I hope you all had a chance to read it. It asks us, as a Regional Council, to take some action on this issue.

I had a long winded spiel, I was going to explain all the details behind this for you guys and I'm just going to summarize now and spare you. But the State's -- you know it's been illegal to harvest steelhead since early 1960s under State regulation and it's a historical resource that was harvested by Yakutat. For a good many years now the people have been trying, both on the State and Federal level to have that use recognized and authorized and they've received no action on both the State and Federal side and they've been come increasingly frustrated with this situation. Their use is well documented and there's no real argument there in that and this resolution is a call to action for us.

I guess what I'm going to ask what the Council do is, you know, read this and because, you know, the jury is still out with regards to jurisdiction in navigable waters, I'm going to ask that this issue be placed on the agenda for our next fall meeting and I hope by that time maybe some changes have been brought about, but if not then maybe this Council can take some action at that time.

And also the other handout I gave was -- it was by Oscar Frank, Senior, whose a Chief of the Teikweidi Clan which has the Situk River. Oscar is very sincere about protecting the subsistence rights in the area. He talks about steelhead in here, you guys probably all read that. And keep it for your own reference. I may not be here next year so I wanted to bring this to your attention now, so that if I'm not here you'll know what it's about and you'll take the appropriate action.

That's all. Thanks.

CHAIRMAN THOMAS: Thank you, John. Any comments? I guess I should ask the staff now because we're going to have to in the future any way. When we get something like this, what can we anticipate or what are some of the options we have to do with this?

MR. WILLIS: I can possibly tell you a little bit about it, Mr. Chair. Right now because of the Katie John lawsuit and the fact that the Appeals Court is held up ordering the Federal -- or the District Court to order us to implement its ruling, waiting for the Supreme Court to decide whether or not to hear the case, there's really nothing at all we can do in the way of changing Federal subsistence regulations on waters that we have -- in essence we have no jurisdiction over. This is the case with the Situk River. There's already been a customary and traditional use positive finding for the people of Yakutat in that area, but until the navigability issue is settled, there simply nothing that we can do. And possibly by the time we meet again in the fall that

situation will have been decided one way or the other and then we'll be able to say what we can do.

CHAIRMAN THOMAS: So we'll just have to wait until a better time presents itself. Rachel.

MS. MASON: If I understood there have been other things that have come up before this Council that were not precisely under the current regulations to be -- as part of the proposals, yet the Council can draw up a resolution of support of it and that -- even though it isn't currently part of the regulations it still is an expression of support.

CHAIRMAN THOMAS: Okay. Thank you. Thank you. Thank you.

MR. NEWHOUSE: Mr. Chair.

CHAIRMAN THOMAS: Hank.

MR. NEWHOUSE: Can I speak for just a second?

CHAIRMAN THOMAS: Sure.

MR. NEWHOUSE: Hank Newhouse, Forest Service, Ketchikan. Though I haven't read your resolution yet, John, the rumblings that I'm hearing from Prince of Wales Island, I think you'd find a lot of support there with what I assume is probably in your resolution with respect to steelhead. That's a rising concern there. It's an issue that just leaping out for the folks on Prince of Wales also.

CHAIRMAN THOMAS: Thank you. So maybe you're not alone. Herman.

MR. KITKA: All that information (ph), you know, we have the same problem in Sitka area, we have two runs steelhead, winter run and spring run. And we also have a Tlingit name for it and the first salmon-like fish that we take out of the streams, it's utilized by the whole community and yet they deny us (indiscernible - kitchen noise). It wasn't our customary food is what he Fish and Game says, but why did the old people have legends and names for the fish and how to cook it recipes?

CHAIRMAN THOMAS: Yeah, you guys. But it sounds like something that's going to find its way to the top of the ladder, issue wise. I think that the Fish and Wildlife Department is aware now and more so as we go along. And I think we're just going to have to continue to pursue it and try to take advantage of a proper time when we can best deal with it.

Rachel, did you

MS. MASON: No.

CHAIRMAN THOMAS: Okay. So there's three areas now, Prince of Wales, Sitka and Yakutat, so far, and there's probably more if we were to look.

John.

MR. VALE: Mr. Chairman, in follow up on what Herman said there, I know that really to a certain extent this is a broader issue that includes more places than just Yakutat. And I understand the name is a-shut, is that pronounced right?

MR. KITKA: Yeah.

MR. VALE: Yeah, a-shut, the name for steelhead. So I just thought I'd add that.

CHAIRMAN THOMAS: Don't be showing up the Chairman now, John.

COURT REPORTER: Ask him to spell it, Mr. Chairman.

CHAIRMAN THOMAS: Yeah, same to you. Any other matters before we get into administrative matters? Thank you.

Fred. John Q.

MR. CLARK: I don't think that there's a lot that we need to deal with, Mr. Chairman, in dealing with administrative matters, but I do want to remind the Council before they leave there is some things that they need to keep in mind for their travel affairs. Almost all of your travel has been rearranged and I've think we've all touched basis on what that is. And I wanted to make sure that you had Janice Collins's work number and her home phone number. And I'm not sure I want to put her home phone number in the public record, so after we're done here come see me and I'll give to you then.

CHAIRMAN THOMAS: Can we put it on the TV scanner?

MR. CLARK: Yeah, we can do that. Is there a radio announcer around here? But Janice sent along a list of travel reminders and I thought that they were going to be put in the packets that you have, but I looked in mine and I didn't see it.

MS. ROBINSON: We got them in there.

MR. CLARK: You have travel reminders?

MS. ROBINSON: Yes.

MR. CLARK: Those are the things that are really important to keep in mind if you want to get your reimbursements if you have reimbursements coming and that sort of stuff. Because it's a real pain to go through all of these procedures - - yeah, that thing. Yeah, it looks like this.

CHAIRMAN THOMAS: If there's anybody here that has any problems with that part of it, getting our reimbursements and everything, shortly after we adjourn here we'll stop and meet and deal with it here before we go. So those of you that have any questions about this, just kind of hang around afterwards we'll try to answer them. Okay?

MR. CLARK: Good.

CHAIRMAN THOMAS: Thank you, Fred.

MR. CLARK: Another sort of administrative matter is something that's come up several times is the relationship between this Council and the State Advisory Committees, and several of you are on the advisory committees, so I know that there's some relation going on already.

CHAIRMAN THOMAS: Bad blood.

MR. CLARK: Hum?

CHAIRMAN THOMAS: Bad blood.

MR. CLARK: But the idea has come up that we need to work on that relationship between the two advisory bodies and maybe use the State Advisory Committee system a little bit more fully to inform the Council's decisions. Just an idea that I wanted to throw out to see if you wanted to consider it now or consider it later or not consider it at all.

CHAIRMAN THOMAS: Each community has its own Advisory Council, is that right? Statewide?

MR. CLARK: That is correct (ph).

MS. WILSON: Skagway and Haines have two

MS. ROBINSON: Some are combined.

CHAIRMAN THOMAS: But essentially every community is represented by their own committee?

MR. CLARK: Right. The one thing that could be done. For instance, I've been in contact with the Divisions of Boards and they're going to be providing me with the names of all the people on the State Advisory Committees and should the Council want to inform those committees about what you're doing or particular issues or have the communication go the other direction then I could, you know, send things out to those people or get ahold of them to get information for you. As another avenue rather than just working through the membership here into those Advisory Councils. There are a number of different options we could look at if you want to work on that.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Thank you, Mr. Chair. I was just wondering if -- it looks to me like you don't receive any comments from advisory committees on our proposals; is that correct?

MR. CLARK: Generally that's correct.

MS. ROBINSON: Seems to me that there was more involvement, you know, with advisory committees with respect to the Regional Councils back with the State system and I'm just wondering -- maybe a letter from the Council to the advisory committees reminding them that they are a part of the process and to encourage them to have meetings on these proposals when they come out and to send comments in, that they're expected to do that and try and get some more involvement that way. A letter of reminder kind of thing, maybe that would help get people involved.

CHAIRMAN THOMAS: Patty.

MS. PHILLIPS: Mr. Chair, every advisory committee member got one of these proposal books and in there is it tells you where to make comments, so that opportunity is there, and I don't know what more we can do to get them to write to us.

CHAIRMAN THOMAS: John.

MR. VALE: I'm not sure that all my committee members got that book right there and at the least if we made sure that all the advisory committee members received one of these so that they could look through them and see what's been proposed it would be helpful. And I know most of the ones in my committee didn't seem to know a lot about what was going on up until, you know, I posted notices around town and whatnot that, you know, this was happening, so I don't know.

MR. CLARK: There may be the impression among members of the Fish and Game Advisory Committees that they're State Advisory Committees and they don't have a role in the Federal system.

MS. ROBINSON: That's what I'm thinking.

MR. CLARK: But I think there's every indication that they do should they decide to step up to the plate. And maybe just a personal

CHAIRMAN THOMAS: They might be forced to overthrow this one.

MR. CLARK: Maybe just a little, you know, personal contact for some of these people would do the trick.

MS. PHILLIPS: I would doubt that happens.

CHAIRMAN THOMAS: Well, let me give you my personal observation. Like I tell many advisory councils around the state, you find this everywhere. If you got to go stand in front of the TV set, take the picture out of their hand and say there's a meeting going on, then you're doing the wrong thing.

MS. ROBINSON: What I was wondering is probably it's the same situation on the State level, too, I don't know. If the proposals that come out periodically through the year aren't anything that you're particularly interested in, you know, especially the Chairman of the Advisory Committee and especially in the smaller communities, you may not bother to call a meeting. I don't know how prevalent that is, but it would be interesting to check with the State, you know, the Board support section and see what kind of response they get from advisory committees on the Board of Game and -- those two boards, Fish and Game, what kind of comments they get on those proposals, see if it's the same kind of turn out. Have you ever had any conversation with anyone there?

MR. CLARK: No, not on those topics.

MS. ROBINSON: That might be interesting to compare notes and see if you have the same problems.

MR. CLARK: Um-hum.

CHAIRMAN THOMAS: I attended a Fisheries Advisory Council meeting in Ketchikan last fall, in fact, they invited me and the only thing on their agenda was the doe season on Prince of Wales. This is a Fisheries Committee.

Okay.

MR. CLARK: Controversy. And I think that's it for administrative matters.

CHAIRMAN THOMAS: I think so too.

MR. CLARK: One thing. Ken Thompson asked me to bring up a topic, so I will. I don't know. He asked me to ask you to think about work load management for future and present budget situation where the Federal Subsistence Program gets cut back from the amount of money that they could actually put out to review proposals. I think his idea was to -- was for the Council to consider considering only some species some years, kind of like the State system does now.

CHAIRMAN THOMAS: Before we get into that, please advise Mr. Thompson that we'll respond to a memo with those concerns.

MR. CLARK: Okay. Very good. That wraps up administrative matters.

CHAIRMAN THOMAS: Okay. Location of the next meeting date.

MS. WILSON: You mean the fall?

MR. ANDERSON: Mr. Chairman.

CHAIRMAN THOMAS: Lonnie.

MR. ANDERSON: In behalf of the city of Kake I would extend the invite to the Advisory Council to meet in Kake the early part of October or late September of this coming summer. The fall meeting.

MR. VALE: So moved.

MR. GEORGE: Second. Is there a ball game then?

MR. ANDERSON: We can have ball game between the Advisory Council and the State reps.

CHAIRMAN THOMAS: All those in favor say aye.

IN UNISON: Aye.

CHAIRMAN THOMAS: All those opposed.

(No opposing responses)

CHAIRMAN THOMAS: We'll see you in Kake.

MR. ANDERSON: Thank you.

CHAIRMAN THOMAS: Where in the hell is Kake?

MR. ANDERSON: Well you can't have you Kake and eat it too.

MR. CLARK: It's over next to Pie.

MR. VALE: The Chair will set that up simultaneous with the Yakutat/Kake basketball game. But on the meeting dates, though, Mr. Chair, I'd appreciate it very much if you stayed away from September. Early part of October is okay with me, but there's a big conflict for me in September.

CHAIRMAN THOMAS: We'll accommodate everybody the best we can. We'll do that, we don't jump right into things. In fact, about July, Fred starts wondering where, how, who and so, yeah, we'll do that.

MR. CLARK: This sheet is the window of opportunity.

MS. WILSON: Mr. Chairman.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: Are we going to meet in May? I forgot the date is.

MS. ROBINSON: We never picked a date.

MR. VALE: Yes, if funding is there, yes.

CHAIRMAN THOMAS: Tom Boyd is going to explore the funding possibilities and is going to let me know and if the funding is there we'll be able to meet.

MS. WILSON: Oh.

MR. ANDERSON: TLMP.

MS. PHILLIPS: What about if that option is not there then audio conference?

CHAIRMAN THOMAS: Why not. We got to give it our best shot whatever it takes, so yeah. We'll have to be in touch. I've got everybody's numbers and faxes and -- Fred does, I hope.

MR. CLARK: Unless you've moved. Whoever has a new number let me know.

MS. PHILLIPS: I wonder if we could network, like, with the university system where Juneau comes up on the satellite dish but the rest of us are on the phone.

MS. ROBINSON: Oh, that would be good.

MS. PHILLIPS: Because we have, you know, that system in our community.

MS. ROBINSON: We got the Star Satellite system set up in Port Alexander. Kake could come over to Port Alexander, Angoon could to, come over and watch it.

MS. PHILLIPS: I'm sure they have (indiscernible -- various speakers)

CHAIRMAN THOMAS: Subsistence on the Internet.

MR. CLARK: Mr. Chairman.

CHAIRMAN THOMAS: Mr. Public.

MR. CLARK: One consideration for an early October is that you know what happened this year right at the 1st of October is the change of the fiscal year and

CHAIRMAN THOMAS: Yeah, look what's happened since then.

MR. CLARK: Six months later we're in the same situation.

CHAIRMAN THOMAS: That's another consideration. If we're advised by the Agency that we don't have that flexibility then we won't be able to do that, so we'll have to keep that in mind, too. Damn, all these hoops we got to jump.

MS. WILSON: Then there's the ANB Convention up in Yakutat in October.

CHAIRMAN THOMAS: Yeah. AFN in October.

MS. WILSON: AFB is in early October.

CHAIRMAN THOMAS: State of Alaska in October.

MS. WILSON: October is a busy month.

CHAIRMAN THOMAS: Okay. Well, we'll keep all this in mind, it's pretty hard for us to try to project anything right now. Fred will do the best he can.

MR. CLARK: So that's all we can do on location and timing of the next meeting.

CHAIRMAN THOMAS: Okay. Public comment. Anybody in the audience want to comment? Actually what we did in Craig and other meetings when there wasn't a public anybody that's here from agencies that typically isn't on the comment period at this part of the agenda we invite you to offer any comments, observations, if you would like to do so. So if you don't want to do it right now you can do it as we go around.

Okay. Council comments. Council -- Council, Gabe, starting with Gabe.

MR. GEORGE: Yeah, first of all I'd like to congratulate you for becoming Chair again.

COURT REPORTER: Microphone.

MR. GEORGE: First I'd like to congratulate you for becoming our Chairman again. You did a good job and appreciate it. I'd also like to congratulate Dolly, but she's not here and Vicki, you know. Sorry I missed the last couple of meetings, but I think we've been moving along quite well, so I'd just like to extend my congratulations to you folks.

CHAIRMAN THOMAS: Appreciate that, thank you. Lonnie.

MR. ANDERSON: Well, Mr. Chairman, I appreciate the opportunity to serve with this Council. Hopefully this next year will be more productive than the last four. And looking forward to having an excellent meeting session in Kake this fall. I was thinking maybe the latter part of September might be the best if Marilyn of October, might think of that. The weather is still pretty nice for flying.

CHAIRMAN THOMAS: Mim.

MS. ROBINSON: Nice to see everybody again. I don't really have any profound things to say other than it's been a nice break in the cabin fever season to come out and do something with my brain. Thanks for the challenges and the opportunity to stretch myself a little bit. See you all next time.

MS. RUDOLPH: This being my second meeting, I hope I didn't dazzle everybody with all my comments and everything. It's been a learning experience and I've enjoyed the two meetings I've been to and I am trying to get caught up in learning everything that everybody is so knowledgeable about. I had a hard time coming out of municipal government into something that I have a right to say that I want and I have and it's mine, rather than saying I have to fight for it. And I couldn't understand where my problem was until Marilyn told me the other night how much she had a hard time coming out of the State's subsistence into the Federal, so that kind of answered my problem a little bit. Again, thank you to all of you for being so patient with me.

CHAIRMAN THOMAS: For the good of the order, Herman.

MR. KITKA: You know at our public meetings in Sitka I tried to decline and get out of sitting on this board and they wouldn't accept what I had to -- that I was the only elder in Sitka that puts up our subsistence foods yet. And the time I got to camp is September 22nd to October 5, so if the meeting is in that area I usually never make the fall one.

I enjoy working with the group here. My main interest is the Native subsistence use of the resources, that's the only ones I comment on. I never pay attention to other proposals from different groups, I only try to work on the ones that are introduced by the Native community, they're the real subsistence users, the way I see it. The latecomers, the non-natives that learned from the Indians how to subsistence, that's the only way they made it when there was no work in Alaska, only the seasonal work. So I guess I have to listen to them, too, in the community.

But my main interest is for a subsistence lifestyle and I want it preserved and I keep it for our youngsters and even the State Fish and Game, I think they taped my operation and Tom Thornton has all the slides and how the old Tlingits used to operate the smoke houses. These are the things that make good citizens among the Tlingits to live and never destroy the land we live on and all the animals. The Tlingits are taught to respect everything that was taken for food and that's how come for ceremonial use it's very important to our people. Something that's practiced from way back.

Our religion isn't any different from the Western, the only difference is we pray to one energy only, the Holy Spirit. When the Western churches came among us they told us there was three. My grandfather at Big Bay when we made the set for salmon for smoking, he'd go out on the sandbar and he'd raise his hand and thanking the Holy Spirit, Hotchidana (ph). And he's an elder in the Orthodox Church and when we're going to eat he prayed the Orthodox way before we eat, so the old people never let go of their religion. That's how come subsistence is very essential to our people.

I don't know how many of you people have witnessed a forty day party, that's where it really comes out. They take one to the Spirit just like they did in the Bible, we call them fire dishes. And they -- each family sometimes name all their family that has gone on before them into the spirit world. After it goes though the whole family, then the dish is placed in the fire and then they pass the food that that person used to like among the people, they each take a spoonful out of it. This was the custom before we have any Western education on Christianity. When Orthodox came to Sitka my grandfolks says that they practiced, that forty party, was identical to what we already practiced among ourself. So they don't use the Tlingit name for that party. They claim a whole

month and 10 night you're no longer going to be aware of the Spirit so they gave a party.

At that party they always give the Tlingit name of the departed person, so that name wouldn't die off from among the people. It's always given to a clan that he belonged to. So subsistence lifestyle is very essential among the Tlingit, it coincides with the present day Western Christianity. I don't see any difference. And I appreciate the Federal recognizing our subsistence use of the resources.

Thank you.

CHAIRMAN THOMAS: Thank you. Beat that.

MR. VALE: I can't. I guess what I'd like to say is that I'd like to let the staff know how much I appreciate their honest and accurate staff analysis of the proposals that have been in front of us. In a state where you see a lot of Federal bashing going on I've come to regain a great deal of respect for you folks that are working for the Federal agencies and you've shown me, you know, what quality individuals we have working for our government. I really do appreciate the honest accurate work that you guys do. So thanks for that.

Also I'm -- since this is my potentially last meeting I'd like to let the Council members know that I've appreciated very much working with all of you and especially you, Bill, I've enjoyed your Chairmanship, to me you've demonstrated that you're the -- what I would call the classic Tlingit leader and your humor and in your insight, you know, I really appreciate your leadership. Thanks.

CHAIRMAN THOMAS: Thank you. Patty.

MS. PHILLIPS: Mr. Chair. I like coming to these meetings, I learn a lot. I learn a lot from my community because I live that subsistence lifestyle. At these meetings I learn more, listening to Herman and other insightful lessons on subsistence use.

This fall Pelican's Native Elder, Clarence Moy (ph) died and he was -- he loved calling me his relative, though I was only adopted into that family but he, like I, have had a lifetime of animosity and invisible antagonism and he was told that for an Indian he had too much. And he'd tell me this story and tell me to fight for our inherent rights. When we get our new coming -- incoming stateside new residents coming into Pelican or wherever and saying this is the way it ought to be I've become very diplomatic because of this Council. I used to be a real hot head, but now I can stand back and listen, but I still know that I have an immense wealth of knowledge within me, but that wealth of knowledge gets richer with each day. And I really appreciate serving with each of you.

CHAIRMAN THOMAS: Thank you, Patty. John.

MR. FELLER: Thank you, Mr. Chairman. I'm glad I finally got you all here, it's been three years trying to get everybody to Wrangell. I knew you'd be happy once you got here. The whole town was -- your timing was good, right in the dead of winter here. The only thing I was apprehensive about was the passover at the airport, you know.

MS. ROBINSON: It happened once.

MR. FELLER: Well, I'm glad you made it. I don't know if I should say that. When we were in Craig I said something about Wrangell being like a Jewish airport, there's passover all the time.

I, too, am on my third year and I just want to say that I had a real good time working with everybody, I'm willing to keep on working and I know Wrangell is especially happy to have me placed on when I was because there was a time, as some of you know, that we in Wrangell here lost our subsistence rights eligibility underneath the State. Thankful we were covered by other communities like Tenakee and Angoon. You don't know how much you lost something until it's taken away, so if that every happens again I think we'll just start putting people on the ferry or something. We had too many people or somethings.

It was just an idea to have the meal here tonight and I'm glad you didn't get over with the meeting before we could enjoy it. I know the Sisterhood did a lot of work for us and kind of the last minute put this together. I'm sure we'll have a good one in Kake when we get up there to Lonnie's territory, too.

With that I'll just thank you.

CHAIRMAN THOMAS: Thank you, John. Marilyn.

MS. WILSON: Mr. Chairman. Some of the Council members, we've been working together for years, some of it was on State and like I was telling Mary in our meeting we were having the other night, a lot of us -- well, I, for one, could not get used getting out of the mind set of being on a State Council, because it was totally different. And when we got on here we didn't know that we could do all these things. This is a wonderful forum and I'm very happy to serve on it. And I've been serving with some great people for quite a while. Everybody speaks their mind and it's like our ANB and ANS meetings, they always tell us when you speak you leave it at the meeting, don't take it home with you. Don't take the personalities into account, in other words. So we're all business here and we all let it off our chest and what and we're still friends and I think the thing is we're all very honest and we're very lucky, like John said, to have all of our help from our Federal and State agencies. I've really enjoyed having Rachel here, another lady (indiscernible - laughter) but she's a lot of fun to work with. And I really look up to our Chairman.

CHAIRMAN THOMAS: Thank you.

MS. WILSON: It's a learning experience no matter how old you are you always just keep learning because we don't know it all. I thank you for letting me serve on this.

CHAIRMAN THOMAS: Thank you, Marilyn. Staff. Staff comments? Rachel.

MS. MASON: I just wanted to say how much I enjoyed the opportunity to serve this Council, it's -- just to work with you and to learn from you it's been really great. And also than you very much to John Feller for inviting us here and to the community of Wrangell because we've really been shown a lot of hospitality. Thanks a lot.

CHAIRMAN THOMAS: Thank you. Robert.

MR. WILLIS: I'll just add a little two what Rachel said. John's remarks were very much appreciated and I've really been grateful for the reaction of the Council to our presentation over the years. You know, after a meeting or two

and we kind of got to know each other and felt each other out. And I've always said that I would rather be respected for my integrity than to have somebody be my friend if I had to give up one for the other. And in this case I find that I get both. You know, it's nice to be able to come in and work with this group and to have what you present to them be accepted as to what's accurate to the best of your ability to determine it and to have everybody treat you with friendship and respect. And I'm glad we were able to schedule this meeting separate from the other meeting so I didn't have to make a choice like I did last fall between going to one or the other. So thanks again, it's a pleasure working with all of you and I look forward to seeing you again in the fall.

CHAIRMAN THOMAS: Thank you. Fred.

MR. CLARK: Mr. Chairman, Council members. The legend of the Southeast Regional Advisory Council lives on. You've once again lived up to your reputation that precedes you as well above average, well above average, and I, like everybody else, it's just been great and I really enjoy working with you folks and the longer that we work together it just becomes easier and more natural, it feels really good and I appreciate that.

John, especially, I wanted to thank you for putting in all the work that you did in getting all these little extras that make such a difference put together, thank you very much. And to the town of Wrangell, it's just a really warm welcome, what a great bunch of warm people here, it's really good. I also wanted to extend my personal thanks to the people who aren't really here right now, the staff at the Wrangell Ranger District because they really pulled a lot together in providing all the services that they did for us, it was just, just, remarkable and certainly made my job a lot easier.

CHAIRMAN THOMAS: Here, here. Thank you. How about agency people? Sure. Agency Yeti.

MR. NEWHOUSE: Coming to the Council meetings twice a year are kind of highlights for me. Getting involved with subsistence started, oh, back about 1988 in that -- you know, prior to that point in time, you know, I thought I knew who I was but the first time I went to Hoonah and sat in a subsistence hearing and felt the pain of what was happening there, when I came away from that I discovered that maybe I really didn't know who I was and at that point I started coming home, because it was listening to people like George Dalton, Senior speak. Listening to you speak, Herman, listening to all of you speak and then some of the opportunities that have come my way and just being involved the subsistence community has really helped me come home in the sense of really learning, ultimately, who I am and what I'm about and to really get back in touch with the land.

My wife the other day, she and I were talking, and I shared this with Bill and Harold and John the other evening, and I think Lonnie was there too. What has happened to our country is that many, many millions of people in our country are no longer in touch with the land. And few of us are fortunate enough to have great teachers, to run into teachers, such as you guys that helps us really get back in touch with the land. Because it's -- you know, my wife and I as we were talking, she had the suggestion that if you weren't in touch with the land you'll slowly go insane. And if you look around our country and you look at our cities and stuff like that you see people every time you turn on the TV you see people who are no longer in touch with the land. And that's a very special gift that I've received from you that's really helped me to get back to know who I am and I cherish that.

And each time I come to the Subsistence Advisory meeting it's just like a regrounding again, it just helps put us back. Now, this may be my last Council meeting that I attend, I may be here in the fall, but I'm getting ready to retire from the Forest Service and so then I'll be involved in a different way, but I'll always be involved.

You know, last summer when the Hawaii Loa was coming through and the people from Hawaii was speaking at the community hall in Saxman, and I believe you were there, Bill.

CHAIRMAN THOMAS: Um-hum.

MR. NEWHOUSE: It was a packed place, it was the largest crowd that I think I've ever seen in Ketchikan other than at a parade of 4th of July. And there were some special words said that night, but the things -- the words that struck home and had a sounding impact and there was quietness over the whole room when Hawaiians stood up and said, you lose your resources, you lose your culture. And there was silence for probably 30 seconds or more after that. I mean, it just -- you know, it just -- as a people that sunk in and hit their hearts, you know, that realization. And that's what all of you are about are keeping us in touch with those resources, those special things and I thank you for that. I thank you, Herman, for what you've shared and what you continue to share and what you give because you enrich us all.

And I really appreciate being a part of this. Gunushl shee.

CHAIRMAN THOMAS: Thank you, Hank. Anybody else from agency? Rob. Larry.

MR. SCHROEDER: This is kind of a different close than what I'm used to at the Board of Fisheries hearing, Board of Game meetings where basically you have people running in different directions because they can't stand each other and they're so burned out from sitting through things that perhaps ground them down without realizing that it's very important to extend human courtesies and to recognize that people may be arguing for one point or the other, but that they are joined together in concerns for Alaska's natural resources. So I think the State process could definitely learn something about humanity from observing the way you conduct meetings and the cares and concerns that you have for other Board members and possible Fish and Game staff here are envious of the support they get from you compared to the frequent grilling that they get when they're dealing with the State process.

These are really special times and I think anyone who's in Alaska has to feel that. The changes that are taking place in the state are just too fast, they're too fast for Native people, they're things that no one really asked for. The demands put on resources proceed apace. A world we look to tomorrow is likely to be very different than the one that we face today. Either because our forest in Southeast is changed beyond recognition, because Alaska's population, which is 600,000 or so, becomes one million. Can you imagine one million people in Alaska or two? And the demands on resources will go on that way.

What I think is really exciting and a reason why I continue in the work that I do is that I believe that in Alaska we have a chance, there is a chance to possibly do it right this time around, with respect to the way natural resources are managed and the way the rights and cultural traditions of indigenous people are recognized.

I'm an anthropologist, I have worked in quite a few places around the world before I settled into Alaska. And it's not very pretty for recognizing the connection of indigenous people with land and resources. This isn't something that I have to tell you. I think that we're something at a juncture in Alaska and although daily it seems the situation gets worse, perhaps the fact that many people are working earnestly to come up with solutions, whether they're the Alaska solution or a different solution is a sign of hope.

I remember first doing different subsistence research projects in different communities, probably either in Hoonah or talking with -- learning from Gabe and Matt in Angoon or up in Haines or sticking my nose into Yakutat, how people would say, well, why should we do this again, we talked about this last year. We kind of laid it out there. And why should we have to keep justifying our way of life, why should we have to justify subsistence or keep reporting again and again on what's going on? And as the conversation would develop people would recognize, well, wait a minute, if we don't, it won't be there. If we don't keep looking to have rights recognized and keep pushing on issues it'll go away. In fact, that fact that there is conflict right now, we're in a conflict situation, is a strength because it means there are still things that are worth being involved in. There's still a lot of things that make your heart beat faster. And the sad day will be when that isn't there, when there isn't really anything that involves you as an issue.

The last point on that would be, through my work I've had the opportunity to do a lot of stuff with historical records and that's really humbling because you find basically that the thoughts and experiences that you had today and the brilliant insights that you had concerning either cultural in Alaska or fish and game management or what going on with wildlife are probably things that were being discussed by your grandfathers. And that people before were trying to solve these problems as well.

So I just point that there's a lineage that perhaps all of us are in and that I believe that we are joined together in working toward a resolution of natural resource issues in Alaska and recognize also that they'll never be resolved. So if things go well your grandchildren will probably be arguing about how many moose should be taken out of this population for whom. And if they don't go well, we won't that -- that discussion won't go on.

Lastly, I don't know if other Fish and Game want to speak, but I really like to mention how I think we're doing -- all of us, collectively, are doing a little bit better job communicating than has occurred in previous years and I'd like to thank the Council for the courtesy shown to Fish and Game staff and the recognition of some of the devotion that Fish and Game staff have to things that they see are very important, which have to do with natural resource values and for many of us the rights -- the subsistence rights that we hope continue well into the future.

So thank you.

CHAIRMAN THOMAS: Thank you, Bob. John.

MR. FOSS: Thank you, Mr. Chairman. This is my second meeting also. I'm awful glad I came. As you know I work in the area of tribal government and my job is to help the Forest Service create government to government relations with Federally recognized tribes. Now in given that the State of Alaska tends to have a problem with that I always viewed my job as somewhat difficult, but after watching you guys at your last meetings and watching you bring the State around

to your way of thinking in terms of subsistence I think slowly sensitizing them to the values that we all hold dear, I see a lot of hope for tribal governments in the future. I really do, I think that this is a beginning point, I think that this is something that we all are going to learn from, the processes that are going on, the dialogue. And I would just like to thank you for the lessons you guys have been giving me and I'd also like to thank Fred Clark, Mr. Subsistence for the Forest Service for getting me involved and keeping us all on our toes with the Forest Service and I'd like to leave you with two words, Tribal Governments.

Thanks.

CHAIRMAN THOMAS: Thank you, John. Larry.

MR. ROBERTS: Well, it's been a pleasure. I have to say that I really enjoy working with this crew and with the seven years or so that I've been involved with subsistence this is one of the most enjoyable meetings that I attend and I really look forward to. And I especially like to work with this group because you're all so dedicated and honest and I just feel like it's not just a group of bureaucrats that I have to deal with on a daily basis, but some people that really care about resources and resources management.

And I also want to say thank you to John for inviting us to Wrangell and making all these arrangement and working with everybody to make it such a fine meeting, I've really enjoyed it, I've really learned a lot, but I always do at each one of these meetings. I don't know for sure what I'll be doing next time, I'm really into Federal subsistence, I may not be in this particular capacity, but I hope to continue to work with you in whatever capacity that you may feel that you could call upon me to participate and become involved in, obviously with the government or some other capacity.

I've enjoyed it and I wish you all the best in whatever you pursue and whatever your interests. Thanks very much.

CHAIRMAN THOMAS: Glad you're here too, Larry, thank you.

MR. SUMMERS: Can I jump in here, I don't want to be the last one. Council members, Mr. Chairman, it's always a pleasure to share with you. I just want to say to John, boy it was 26 years ago that I came to Wrangell for the first time on a ferry boat and it was nice to get back for a few days. I hope to return with my family. It's always a pleasure to hear your concerns and to hear the input from staff and from the others, from the public on the issues that are at hand. I'll try to continue my job to take your concerns back to the people that I work for, the National Park Service. I'm looking forward to seeing you again, soon, hopefully at your next meeting in Juneau and again in Kake.

Thank you.

CHAIRMAN THOMAS: Thank you, Clarence.

MR. TUREK: I'm Mike Turek, I was at the last meeting, this is my second meeting and I was a little quite this time. Bob Schroeder was taking care of everything, but I'd just like to first of all thank John for inviting us here to Wrangell, this is has worked out really well, especially the meal tonight, it was fantastic. And I think it's been a real education for me to come to these meetings and I hope to continue coming to them for many years. And I think that your participation in this really valuable and I just -- especially it's great

to see Herman here this time, always wonderful to see Herman. And I'm just really looking forward to continue working with you for many years.

CHAIRMAN THOMAS: Thank you very much. John.

MR. MORRISON: This is the first time that I've been to this Council meeting and it is the last council to which I have never been before. Some of the other council meetings I've been to two or three times because they were more convenient for some reasons. I'm impressed with the closing ceremony you've had here, Mr. Chairman in having everybody express themselves the way they have, I haven't see that at any other council, it's usually everybody sitting there gasping just for somebody to say 'I move that we adjourn' so that we could all run out and go home, you know.

But listening to the many things I've heard here this evening brings out in the statement that I'm fond of boring everybody with and that's that I've been in this wildlife business now over 40 years and throughout that 40 years I've seen many different ways of people trying to resolve this problem of managing a resource in way that maintains it in a good safe condition while at the same time trying to figure out how to allocate the use of it. And as has been pointed out here this evening, the population of Alaska is probably going to grow considerably over the next umpteen years, there's going to be more people coming in with greater demand on this resource.

At the same time the people that are already here are feeling pretty antsy about what's going to happen to their share of it all and their interest in it. And that's no different than a lot of other places, not only in the United States but in the world. And the only way that we'll ever be able to deal with that situation is through meetings -- associations like this where people will at least sit down and try to look at the issues in an objective and friendly manner and try to seek solutions. That will come about a lot quicker and more effectively the more people will respect each other and be willing to learn and pick up on new ideas.

The old world is constantly changing. Geologically we've seen through the historical records how the earth has changed and its characteristics and along with it so has all of the living organisms that inhabit it. And just as the old earth is changing so do we have to change and how we react to it and how we try and share in it so that I just hope that we can continue to operate the way that we've been doing in these Council meetings, constantly improving our relationships and regard for one another and finding new and better ways of handling our resource management.

Thank you.

CHAIRMAN THOMAS: Thank you, John. Okay. Anybody else? If you haven't talked you're welcomed to if you want to. Okay. With that

MS. WILSON: Mr. Chairman.

CHAIRMAN THOMAS: Marilyn.

MS. WILSON: Could I offer the privilege and the floor for Harold Martin.

CHAIRMAN THOMAS: Yes, ma'am.

MS. WILSON: I'd like to heard our Native Subsistence Commission Chairman talk.

CHAIRMAN THOMAS: There's been a request overwhelmingly that the Chairman of the Southeast Native Subsistence Commission address the jurors.

MR. MARTIN: Thank you, Mr. Chairman, Marilyn. A word of encouragement to the Council. I don't foresee the State regaining management control over subsistence in the very near future. I would encourage this Council to look down the line 10, 20 years from now. Someone stated here that our population continues to increase, there are threats that our natural resources will be chopped up. There's already a move, the fish initiative is asking for five percent of our fish, king salmon to be specific, from the Kenai/Cook Inlet area.

And this is my second meeting, I look around here and I've been to various meetings with most of you as well as all these agency people. I belong to every existing Native subsistence organization in this state, so I'm all over the place. And I enjoy working with you people and I thank you and look forward to Lonnie's subsistence banquet next fall.

Thank you.

CHAIRMAN THOMAS: Okay. Well, from my part I would really like to also like to thank John Feller for his inviting us. He said he tried for three years, he's very sincere about that and John has really demonstrated a sincerity as he tries to represent the subsistence community on this Council and I appreciate that.

It's really getting exciting because the interaction between the State and then the Federal Advisory, the two philosophies finding some way -- it's the second meeting in a row that they've cooperatively drafted a document to be sent out that has really added a meaningful impact to accomplish whatever we're going for and I appreciate that.

You know, it's easy for us a lot of time to overlook staff. A lot of us are here because of the hard work of somebody else working in our office. And when you get back to your office and those that aren't here, please take back our thanks with you from us for them getting all the information, all the communications, the logistics, everything about this meeting. I know sometimes they feel kind of left out and they want to burn out and I can understand that. We don't want that to happen.

I don't know what I'm going to do without Herman, so Herman is going to have to be here I think. Like the Supreme Court, lifetime job, I think, Herman. The little bit he shared with us a while ago wasn't a little bit. There was so much in the content of what he shared with us, the significance that he shared with us to get us to understand the values and the sequence of how the value became a value was really something.

I want to thank all of you for your kind expressions to me. I wouldn't be able to do a job like I'm doing if it wasn't for the support and the cooperation and the generosity of all of you folks, I want you to know that. Thank you very much.

I'm glad everybody was here, I hope you have a safe trip on your way back home. I hope you don't take up the last stool in the watering hole when we got out of here tonight. With that the Chair will entertain a motion to adjourn.

MR. GEORGE: Move to adjourn.

MS. ROBINSON: Second.

MR. ANDERSON: Second.

CHAIRMAN THOMAS: We're adjourned.

(Off record)

(END OF PROCEEDINGS)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and Reporter for R&R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 93 through 263 contain a full, true and correct Transcript of the Southeast Regional Subsistence Advisory Council, Volume II, meeting taken electronically by me on the 9th day of February, 1996, beginning at the hour of 9:00 o'clock a.m. at the SNO Building, Wrangell, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by Barbara Caraway and myself to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 19th day of February, 1996.

Notary Public in and for Alaska
My Commission Expires: 4/17/96